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President's Page

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BAR BRIEFS

PUBLISHED MONTHLY AT DICKINSON

—BY—

STATE BAR ASSOCIATION OF NORTH DAKOTA

M. L. McBride, Editor

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PRESIDENT'S PAGE

Our Executive Board met at Grand Forks on October the 9th, 1946. We tried to make plans for the year's program and our most difficult problem was that of finance.

We find that a few less than 500 lawyers were licensed in this state in 1946. Out of the \$10.00 fee paid by each, \$6.50 is paid into the Treasury of the Association, and the remaining \$3.50 is paid to the State Bar Board for its expenses. Our total receipts for 1946 will therefore be approximately \$3200.00.

The balance in the Treasury at this time is about \$1500.00. When we consider the Secretary's salary, the cost of the monthly issues of Bar Briefs, the annual number of Bar Briefs, travel expenses of the Executive Board in attending meetings, preparing sectional briefs, stenographic help for the secretaries, postage and other items of expense, one can readily see that the balance in the Treasury is very inadequate.

The matter of Bar Briefs was fully discussed and it was the concensus that the periodical would serve a better purpose if it were enlarged and issued quarterly. We could then include a variety of interests and we could also effect a saving by including the proceedings of the annual meeting in one of the quarterly

(Continued on Next Page)

(Continued from Front Page)

numbers; and the materials prepared for the sectional meetings can be included in the quarterly to be issued shortly before the annual meeting. The latter would not only result in the saving, but will have the added advantage of placing the briefs on the various topics in the hands of the members sufficiently in advance of the meeting to enable them to be prepared for the discussion to follow at the Sectional Assembly.

The Board recognized that to provide a journal of this kind would involve a substantial increase in the costs of printing and employing an editorial board. The costs of both would be entirely beyond our present means. It was therefore the consensus that if a volunteer editorial board from the members of the Association could be obtained, that notwithstanding the small number of lawyers in our State, sufficient volunteer contributions could be obtained from the members of the Bar to enable it to carry out our program and to do some constructive work that will be of benefit to the profession. For the ensuing year we must find means other than volunteer contributions.

The Board, therefore, adopted the following plan:

- (a) Commencing with January, 1947, the monthly issues of Bar Briefs will be discontinued, and replaced by a quarterly journal to be issued during the months of January, March, June and September.
- (b) That an editorial board be created. In this connection the President was requested to interview a number of lawyers with editorial experience, to ascertain whether such individuals would undertake the editing of the quarterly journal without remuneration, but to be paid only actual expenses incurred, until such time when the Association can afford to employ an editor.
- (c) If a volunteer editorial board could be obtained, a campaign was then to be inaugurated by the Association for the solicitation of funds from the members on a voluntary basis in order to meet the anticipated budget of the Association.

I am happy to inform you that after our meeting of the Executive Board I interviewed Mr. Archie H. McGray of Bismarck, who has had 10 years experience in editorial work, and Mr. Linn Sherman of Steele, as well as Miss Marion J. Leslie of Fargo, who have also had considerable editorial experience, and that they consented to act as a volunteer editorial board. Mr. McGray will be the chairman of this board. If the response of the membership will be ample, we have every reason to believe the editorial board will produce a journal of which we may well be proud. Of course, we may experience some difficulties with the first number to be issued about January, as the board cannot begin to function until after the completion of the fund raising campaign, and we are already into November.

The members of the Executive Board of the various Judicial Districts are now laying plans for the raising of such funds. May I urge your cooperation in their efforts. Conditions in our State at the present time are good and I am sure that each member of the Bar will be willing to participate in this fund.

The Executive Board will meet again at Minot on November 23rd. If the response is prompt and generous we shall set up our budget and put the machinery in motion for our activities for the coming year.

We hope to have your whole hearted cooperation.

Sincerely yours,

H. A. MACKOFF
President

SIXTH DISTRICT MEETING

The meeting of the District Bar of the Sixth Judicial District will be held in Dickinson on November 16th, 1946, at 2:00 o'clock p.m. at the Villard Hotel.

The Sectional Assembly topic of "Bringing Actions to Quiet Title under the North Dakota Statute" will be discussed. Judge Leo. F. Broderick will lead the discussion, and Judges Harvey J. Miller and J. O. Wigen will also participate. A banquet for the members and their ladies will following the business meeting. Every member who plans on attending this meeting is urged to write to Mr. Theo. Kellogg at Dickinson, giving the number of reservations for the banquet.

NOTICE OF ELECTION TO STATE BAR BOARD

The Executive Committee has nominated Geo. F. Shafer, and Gordon V. Cox, both of Bismarck, N. D., for the State Bar Board to fill the term of Geo. F. Shafer expiring December 31st, 1946.

Attorneys may make additional nominations by a petition signed by ten members, and filed with the secretary on or before December 1st, 1946.

AWARD OF ALIMONY SUBSEQUENT TO A DECREE OF DIVORCE

By
WILLIAM H. CONLEE

(April 1946 Issue of Current Legal Thought)

The general rule is that where the decree of absolute divorce, without provision for alimony, has been entered, a subsequent action for alimony cannot be instituted. However, perplexing problems often arise wherein the courts are asked to relax the general rule stated above.