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The Lawyer of Yesterday and the Lawyer of Today

Wm. G. Owens

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for the fine service he has rendered to his Country, State and Community and we extend to his surviving wife and three children our deepest sympathy in their great loss.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the Clerk of the District Court, and that a copy of it be sent to his family and given to the public press in McLean County, North Dakota.

Dated this 27th day of November, 1944.

FERD JANSONIUS,
Presiding Judge
O. B. HERIGSTAD
JOHN E. WILLIAMS
ROBERT VOGEL
J. A. HYLAND
R. L. FRASER

THE LAWYER OF YESTERDAY
and
THE LAWYER OF TODAY

Gentlemen of the Bar:—

Late edition (1944) of The Beards "Basic History of the United States" records the advance of lawyers in the progress of the colonies in "Social and Intellectual Growth" for it is there written as a historical fact, "The eighteen century had not advanced far when lawyers began to dispute the intellectual preeminence of the clergy. In the early stages of settlement there was little business for lawyers and dislike for their profession existed in many circles. Throughout the colonial period, in fact, Puritan divines were inclined to look down upon them as a lower order of human beings. When, for instance, the Reverend William Smith learned that his daughter was inclined toward marriage with John Adams, he was distressed; for young Adams was not only a son of a dirt farmer; he was also a lawyer. On principle, the Quakers were opposed to lawyers; they insisted that disputes among members of the meetings should always be settled by private negotiation. It was in Virginia and South Carolina that lawyers were first heartily welcomed and given high standing in the best society. Yet as the colonies approached maturity, lawyers were prominent everywhere in the cities from Boston to Charleston, and were scattered around in the inland regions."

It was about that time that the then governor, Sir William Berkeley was opposed to newspapers and free schools and "thank-ed God that Virginia had neither;" yet it was out of Virginia there came a young lawyer, Thomas Jefferson, who wrote into our Constitution the guarantees for free schools and free press.

Those historic facts should brace the fortitude of every lawyer of our association to the idea that he should be a potent factor in promoting, in his community, not only Social and Intellectual growth but in influencing their clients and neighbors in understanding and practicing the art of self-government. No one in this day and age, knows better than the lawyer the influence which comes to his community from the outside world tending to create submission to plans and schemes from foreign lands which tend to draw our people away from the "American Way" of Social and Intellectual growth of the American plan of self-government. No lawyer should be afraid to speak out, loud and long, on those subjects, in his community, let his people—our people—know about the real American way of art of self government as is meant by the terms of the constitution under which we live, for, the lawyers have the great responsibility of preserving the American way—government by the people and for the people.

Respectfully,
Wm. G. OWENS
President SBA of N. Dak.

FROM HERE AND THERE

Hon. Merrill E. Otis, President of the "American Judicature Society" writes to our President, in part:

"At a time when wholesale injustice has spread over a great part of the civilized world, we think it vitally important that in our country the machinery of justice shall function properly and efficiently, for as long as it does we need have no fear that our government or our civilization will fail from internal weakness or be overcome by external strength." The president passes the message along to the membership with sincere hopes that it will take root in every community in North Dakota resulting in the sturdy growth of justice by the strong support of the members of the bar to our courts and the securing of fair and impartial hearings of their clients before the boards and bureaus which are rapidly taking over the free actions of our people.

The officers of our association are just notified that the mid-year meeting of the House of Delegates of the American Bar will convene in Dallas, Texas, March 5th and 6th. The members of the House representing North Dakota are Herb Nilles of Fargo and Roy Ployhar of Valley City. They should attend. The Executive Committee of our association voted twenty-five dollars for expense money for the trip. Ye Gawds! Wasn't that a liberal contribution from North Dakota lawyers? Better you talk to your members of the legislature about revamping the laws relating to use of that ten dollars that you pay for a license. The association should have enough out of it to pay its running expense. Here is one place you lawyers may do some missionary work for your own selves.