



1944

New Books Recently Added to the State Law Library

North Dakota State Bar Association

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In 1904 he was married at Walnut Grove to Miss Winifred Cheshire, who with his son, Wilfred, and daughter, Jeanette, survive him.

Einar Madson, personal representative of Gov. Fred G. Aandahl, Judge Vernon Hoven, Plentywood, Mont.; M. D. Anderson and W. A. Hughes, Fargo; Geo. C. Upright, Bismarck; W. A. Brown and A. C. Pagenkopf, Dickinson; Ward H. Nelson, Devils Lake; P. H. Mills, J. M. Zuzulin, Dave Phillips, W. H. Wheeler and A. W. Doeksen, Minot, and Paul Vaaler, Grand Forks, represented the North Dakota State Elks association. Representing the State Bar association were vice president and now acting president Roy A. Ployhar, Valley City, and the secretary-treasurer, M. L. McBride, Dickinson. The supreme court of North Dakota sent a message of condolence to the family.

Pallbearers were Joe Cutting, W. S. Davidson, Dr. I. S. AbPlanalp, Dr. J. N. O'Keefe, George Leonhardy and George G. Harvey.

NEW BOOKS RECENTLY ADDED TO THE
STATE LAW LIBRARY

Thompson on Real Property (Permanent Edition) Vols. 1-12.

Paul & Mertens-Law of Federal Taxation Vols. 1-6 with Supplement.

Paul-Estate & Gift Taxation Vols. 1 and 2.

Rabkin & Johnson-Federal Gift, Income & Estate Taxation.

Glenn-Fraudulent Conveyances (Revised Edition) Vols. 1 and 2.

Jones-Chattel Mortgages & Conditional Sales (Bowers Edition) Vols. 1-3.

Ohlinger's Federal Practice (Loveland's Revised Forms) Vols. 1-6.

Horovitz-Workmen's Compensation.

Wigmore On Evidence (3rd Ed.) Vols. 1-10.

Williston on Contracts (Revised Edition) Vols. 1-8.

Appleman's Insurance Law & Practice Vols. 1-18.

Words & Phrases (Permanent Edition) Vol. 1-45.

United States Supreme Court Digest Vols. 1-15.

Federal Digest Vols. 1-72.

HERE AND THERE

We regret to record, with deep sorrow, that Attorney and Mrs. H. A. Mackoff of Dickinson were recently advised by the War Department of the death of their only son, William, during the campaign of the Marines at Iwo Jima. We hereby extend to the sorrowing parents the sympathy of the entire membership of the Bar. The taking of a brave soldier son, sacrificed in the

service of his country, is a loss which cannot be compensated either by friends, the state or the nation. It is a sacrifice by those good parents made to us all, the people of the United States.

Recent reports advise us regarding the sudden death of two members of the Bar. William A. O'Donnell and Irvin F. Wagner, attorneys of Napoleon, Logan County, who passed away suddenly and within a few days of each other, thus removing from the Bar of Logan County two of its old time and respected lawyers.

Many of the members of our Association dutifully assisted in a Lincoln Day program somewhere, either in their home community or as a guest speaker of some civic organization. To those who did so we extend our congratulations for fulfilling a patriotic service. Of "Abraham Lincoln—Lawyer" much has been said, columns and pages written of that great American character so permit us to repeat a few lines from the February issue of the American Bar Association Journal which recites in part

"As President and Commander-in-Chief, Lincoln was what he had come to be as a country lawyer in a growing State. Numbers of American lawyers have had, and still have, in some varying measure, the homely and human qualities of patience, fairness, foresight, and understanding, which made Lincoln great. These qualities did not die, or disappear from the profession of law or from American communities when his life was ended."

It is pleasing to your officers to note recognition of the North Dakota Bar by the naming of ten lawyers as members of a North Dakota committee on "Improving the Administration of Justice," also a member of a committee appointed by an order of United States Circuit Court of Appeals, dated February 5, 1945, to commemorate the life and services of Judge Arba S. Van Valkenburgh, long a respected, able and beloved Judge of that Court. The session of that Court at Kansas City on March 3rd will be so devoted.

The legislature, as a last spasm requested—notice requested—Tom Hall, our congenial Secretary of State, to put out annotations of the new code. Tom would probably do that anyhow but it was a fine gesture on the part of our law-makers so when you get the notion that you want the service send a card to the Secretary of State.

Secretary "Mac" of our Association has good reason for being elated over the news and pride in the record of his son now in the armed forces. News reports which recently come to us recite the record as follows:

First Lieutenant Morton L. McBride of the Second Ranger Infantry Battalion was recently awarded the Silver Star for gallantry in action in the vicinity of TyBal, France, on August 30th,

1944. He was promoted to Captain on October 14th, 1944. He was awarded the Purple Heart for wounds received in action on August 31st, 1944, also awarded Oak Leaf Cluster for the Purple Heart for wounds received on September 1st, 1944, and was again awarded an additional Oak Leaf Cluster for wounds received in action at Bergstein, Germany, on December 7th, 1944.

Previously his unit had received the Presidential Citation and Combat Infantrymen's Badge.

The Citation reads as follows:

Citation For The Silver Star

First Lieutenant Morton L. McBride, 01309777, Infantry United States Army, for gallantry in action in connection with Military Operations against the enemy on August 30th, 1944, in the vicinity of TyBal, France. Lieutenant McBride was leading his company in an advance on a town when the enemy opened fire.

Disregarding all personal safety, Lt. McBride returned the fire on an enemy machine gun with his own submachine gun. He then advanced, destroyed the enemy machine gun and position and killed three enemy riflemen. The undaunted courage, and outstanding display of gallantry demonstrated by Lt. McBride served as an inspiration to other members of his unit, and are in keeping with the highest traditions of the armed forces. Entered military service from North Dakota."

Captain McBride is a son of M. L. McBride, well known attorney of Dickinson, and the husband of Evelyn A. McBride.

(First paragraph was prepared by President Owens.)

Please send items of interest to our members to your secretary so that "Here and There" may be continued."

THE ADMINISTRATIVE PROCEDURE BILLS

By Dean O. H. Thormodsgard

(Continued from Page 181)

Extensive hearings were held on S 674, the bill proposed by the minority members of the Attorney General's Committee and S 675, the bill of the majority of the Committee and the Walter-Logan Bill S 918. Due to the impending war the Senate suspended consideration on all bills dealing with administrative procedure in 1941.

Since 1941, the American Bar Association's Committee on Administrative Law has devoted its time and interest to organize and conduct a conference on administrative law. Carl McFarland, former Assistant Attorney General, who had served on the Attorney General's Committee on Administrative Procedure, was made Chairman of the American Bar Association's Committee on Administrative Law. 67 A.B.A. Rep. (1942) 226-227; 68 A.B.A. Rep. (1943) 249-257.