



1939

Annual Meeting of Southeast District Bar Association

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"The Probate of an Estate in North Dakota"

Chairman: Judge Joseph J. Funke

Discussion Leader: Norman G. Tenneson, Fargo

"Frazier-Lemke Bankruptcy Law"

Chairman: Charles L. Foster

Discussion Leader: John J. Nilles, Fargo

Friday, August 30, 1940 - 10 A. M.

"The Foreclosure of a Real Estate Mortgage in North Dakota"

Chairman: Chas. M. Pollock

Discussion Leader: A. M. Kvello, Lisbon

"Problems in Criminal Law"

Chairman: Nels G. Johnson

Discussion Leader: Milton Higgins, Bismarck

"Problems Relative to the Examination of Abstracts"

Chairman: Lester T. Sproul

Discussion Leader: Harrison A. Bronson, Grand Forks

The efforts being put forth in developing the regular program does not mean that the entertainment side is being neglected. Lunches, golf tournament, the annual banquet and numerous side lights will furnish plenty of fun. A program is also being arranged for the ladies which they will find very enjoyable.

The law book companies have been very generous in contributing law books which will be given away as attendance prizes at the annual banquet. To those fortunate enough to receive these prizes the meeting will be doubly profitable.

The Cass County Bar Association, hosts of the 1940 meeting, cordially invite you to come to Fargo. They urge that all North Dakota courts and attorneys refrain from setting matters on August 29 and 30 so that everyone may be free to attend.

ANNUAL MEETING OF SOUTHEAST DISTRICT BAR ASSOCIATION

Grand Rapids, N. D.—Members of the Southeast Bar Association, meeting here, named H. P. Remington of Lisbon as president to succeed Franz Shubeck of Ashley. Sidney Adams of Lisbon was reelected treasurer and was named to the secretaryship. F. J. Graham of Ellendale is vice president.

FOURTH DISTRICT BAR ASSOCIATION MEETING

The above association which was well presided over by President R. G. Manly of New Rockford, held its annual meeting at Carrington on the afternoon of July 25th in the fine Court House in that city. The address of welcome was made by Hon. C. W. Burnham of Carrington, and the response was given by Hon. C. B. Whipple of Fessenden. The main features on the program were an informative and interesting address by Justice James Morris of our Supreme Court on the History of Taxation, the old english statutes disclosing a variety of stamp taxes that would make our citizens sit up and take notice; and an address by Mr. A. M. Kuhfeld, Code Commissioner, upon the progress of the Code Revision. The members present showed a very keen interest in all

that he said, and showed their appreciation of the detailed information given. It gave them not only details as to how the work was proceeding and how it was done, but a feeling that it was being well done, and in a manner that would be highly satisfactory to every one that had to use the new revised code.

Election of officers was held, and Hon. C. B. Whipple of Fessenden was elected President and C. B. Craven of Carrington Vice-president, and Mr. Neil Cameron of Bismarck was re-elected Secretary and Treasurer.

At 6:30 a delightful banquet was served to about twenty-five of the attending attorneys, among those being President Clyde Duffy of Devils Lake, President of the State Association; M. L. McBride, State Secretary and Hon. Fred T. Cuthbert of Devils Lake.

Mr. Manly presided as Toastmaster and introduced as the chief speaker, the ever scintillating Russell Chase of the Jamestown Bar, who mixed reason with wit, and left with his audience the distinct impression that if the lawyers didn't get busy they would soon be extinct as the dodo thru the process of slow starvation.

Brief and pointed speakers were Messrs. Duffy, Cuthbert, and District Judges Jansonius and McFarland. The male animal of the cow herd was dragged around considerable and finally ruthlessly butchered a touching episode by Judge Jansonius. And a fine time was had by all present.—Secretary.

OUR SUPREME COURT HOLDS

In *L. R. Baird, as Receiver of the Williams County State Bank, Applt., vs. J. W. Chamberland and Morton Mortenson as County Auditor of Williams County, North Dakota, Defts., Morten Mortenson, as County Auditor of Williams County, North Dakota, Respt.*

That Chapter 258 Laws of North Dakota, 1933, and Chapter 280 Laws of North Dakota, 1935, granting additional time within which to redeem from tax sales and extending the time within which certificates of tax sales would remain valid, are by their terms retroactive in operation and applicable to tax sales held prior to their enactment.

That the sale of property at tax sale, by reason of the delinquency of the landowner in the payment of his taxes, does not create a contractual relationship between the landowner and the county.

That right of landowner, whose property was sold at tax sale, to have tax sale certificates cancelled at expiration of six years from their date, if tax purchaser had not commenced proceedings to secure a tax deed within that time, as provided by section 2199, Supplement to Compiled Laws of North Dakota, 1913, was not a vested right prior to the expiration of the six year period.

That Chapter 280, Laws of North Dakota, 1935, in extending the time within which certificates of tax sales will remain valid, from six years to ten years after the date of the certificate, did not impair any right secured to the landowner by contract nor destroy any vested right, and is therefore not objectionable as violating constitutional prohibitions against impairing the obligations of contracts or taking property without due process of law.

(Syllabus by the Court).

Appeal from the County Court of Williams County, Hon. A. J. Gronna, Judge. **AFFIRMED.** Opinion of the Court by Burke, J.