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Judicial Council Meets

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JUDICIAL COUNCIL MEETS

(Continued from January number.)

That the success of the institution is largely due to the fact that the Superintendent has been appointed and retained in service solely upon the ground of merit and the ability to handle men, and not from any motive of giving a job to some one, or for any consideration other than merit.

The Superintendent of the farm at Saginaw has held his position for the past twenty-five years continuously, although his term of office is only from year to year.

Proceeding now to the reason for the activity in this direction the committee observes that a recent survey made in North Dakota discloses: That in the year 1929, the cost of the custody and the care of county jail prisoners of the counties of North Dakota amounted to the sum of \$83,282.92;

That the men confined in the county jails are without regular labor and work and sit in idleness;

That there are many offenders in this state who are sent to the penitentiary because there is no other adequate institution to care for offenders who, by reason of their youthful age or the circumstances surrounding the commission of the crime for which they were sentenced, should be sent to a corrective institution of this kind rather than to the State Penitentiary;

That did we have a state work farm operated along the lines of the Minnesota Institution mentioned, it would result not only in a saving to the tax payers of the various counties, but would also be an important factor in the rehabilitation of that class of prisoners.

That the Federal Transient Camp situated on the banks of the Missouri River about four miles south of Bismarck, has been transferred to the State of North Dakota, and that the buildings so transferred will do away with the necessity of an appropriation for the purpose of constructing buildings and thus give to the state an adequate plant for the carrying on of a work farm institution!

This camp has about twenty-three well constructed buildings and would make an ideal site for a work farm, having within reasonable distance from it a large amount of farm land belonging to the State Penitentiary on which there would be ample opportunity for work projects including irrigation, clearing projects in reforestation and raising of crops.

And then makes the following recommendations: that legislation be enacted in this state for the establishment of a state work farm, utilizing the present Federal Transient Camp for that purpose, to which camp shall be committed such offenders as the committing Judges determine suitable, considering their age, character of the offense and other consideration that would appeal to the committing Judge.

That the offenders committed be those whose sentences range anywhere from thirty days to three years.

That the law also give authority for the transfer of suitable persons from other penal institutions to said work farm under rules and regulations set up by the board.

That the administration of said work farm be placed in the hands of the same board that now has, or will hereafter have, the administration of the penal institutions of the state, provided, however, that the head and director of said work farm shall be selected, by said board, from a list of eligibles submitted by the Judicial Council of the State of North Dakota.

Pursuant to this report, and its recommendations, Representatives Bergesen and Gray introduced House Bill No. 199 providing for the Establishment and Government of a Correctional Institution to be known as the North Dakota State Farm, the commitment and transfer of prisoners thereto, their care and supervision, and making a provision therefor. This very meritorious measure was lost on a vote on final passage in the house, the only reason given being that the state could not afford the appropriation at this time, although it was apparent that it would have made a large saving to the counties, and to the state, in the class of prisoners handled therein.

REAPPORTIONMENT OF LICENSE FEE

Pursuant to a resolution adopted by the Executive Committee a bill was introduced in the Senate at the recent session through our legislative committee, and sponsored by Senator Fred J. Fredrickson as Senate Bill No. 256, which provided that the license fee of Ten Dollars (\$10.00) should hereafter be divided Three Dollars and a Half (\$3.50) thereof to the State Bar Board Fund, and Six Dollars and a Half (\$6.50) to the State Bar Association, instead of Five Dollars (\$5.00 to each as heretofore; and also provided for the transfer of Twenty-five Hundred Dollars (\$2500.00) from the Bar Board Fund to the State Bar Association, to be used as formerly provided and in addition, for any expenses incurred in providing assistance to the Code Revision Commission.

This bill had the emergency clause attached, and it carried, with the bill, by more than a two thirds vote in each house, and has been signed by Governor Moses, and is therefore in full force and effect at this time.

This bill was the outgrowth of a growing sentiment for years in the profession that the Bar Association should receive a larger share of the fee, and while the Bar Board has agreed in principle, it has felt more or less, First,—That any attempt to make a change would attract the attention of the legislature, and result in a transfer to the general fund of any monies on hand, and Second,—That a change might result in the board being short of funds especially if a transfer of funds was made.

However, the first fear proved groundless, and it is hoped that the next two years will not find the board short of funds. As