



1931

Annual Meeting

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ADMISSION TO PRACTICE

On March 29, 1932, the Massachusetts State Senate submitted to the Supreme Judicial Court of that State certain questions relating to a bill dealing with the admission of persons to practice law. The Court answered April 20, 1932, and we quote a portion of that answer, which reviews the following citations: *131 Mass. 376; 10 Met. 239; 9 Gray 430; 220 Mass. 472; 248 N. Y. 465; 19 How. 9; 11 Allen 472; 224 Mass. 169; 268 Mass. 373; 30 Ariz. 407; 181 Ill. 73; 134 Ind. 665; 88 N. J. L. 157; 23 S. D. 43; 208 Cal. 439; and other cases.*

"There is nothing in the Constitution, either in terms or by implication, to indicate an intent that the power of the judiciary over the admission of persons to become attorneys is subject to legislative control. . . The inherent jurisdiction of the judicial department over attorneys, although recognized by statute, is nevertheless inherent and exists without a statute. . . Numerous statutes have been passed making provision in aid of the judicial department in reaching a proper selection of those qualified for admission as attorneys to practice in the courts. . . They have been enacted to enable the courts to perform their duties. They have been enacted, also, in the exercise of the police power to protect the public from those lacking in ability, falling short in learning, or deficient in moral qualities, and thus incapable of maintaining the high standard of conduct justly to be expected of members of the bar. . . Statutes respecting admissions to the bar, which afford appropriate instrumentalities for the ascertainment of qualifications of applicants, are no encroachment on the judicial department. They are convenient, if not essential. . . When and so far as statutes specify qualifications and accomplishments, they will be regarded as fixing the minimum and not as setting bounds beyond which the judicial department cannot go. . . These conclusions flow irresistibly from the provisions of the Constitution. . . The provisions of the pending bill fall within the same class as would proposed statutes fixing the passing marks for admission to the bar, the branches of law on which applicants should be examined, the number of questions to be asked, the length of time to be devoted to examinations, the tests of moral character to be adopted and the means for meeting those tests, and other like matters. If subjects similar to these were held to be within legislative cognizance, it would be vain to say that final power over admission to the bar was within the control of the judicial department."—(*See 180 N. E. 725.*)

ANNUAL MEETING

Recent contacts with the members of the Fargo Committees, which, under the general direction of George Soule, are preparing for the annual meeting, indicate that this year's meeting will be a record-breaker. It is going to be delightfully different in many respects.

Let us quote from the most recent statement received:

"Ample evidence of exceptional interest in the annual meeting of the North Dakota State Bar Association at Fargo this fall is brought forth by the number of replies received to the questionnaire sent out to determine the most suitable dates. The weeks of August 22nd and September 5th are running neck and neck, while Wednesday-Thursday

and Thursday-Friday vie for popularity as the days of the week on which it should be held. The final decision is being withheld until all returns are in and canvassed but definite announcement will be made within a very short time. When this announcement is received, start right in making plans so that nothing can interfere with your attendance.

"Ideas for entertainment of the members of the North Dakota State Bar Association at the annual meeting in Fargo are being gathered, sorted, sifted, remodeled, adjusted and otherwise improved by the committee in charges of this department. When they are all lined up and put into operation—well—you'll simply have to be there or you will miss a mighty good time.

"Be on the lookout for a definite announcement of the dates for the annual meeting at Fargo this fall, the name of the guest speaker, and the provisions for your entertainment, and then plan to be there. In addition to arrangements made by the Cass County Bar Association, which is sponsoring the meeting, there will be the pleasure of getting together with a bunch of good fellows, a pleasure to which you contribute your part and receive a hundred fold in return."

The working committee chairmen are: Finance: Herbert G. Nilles; Registration and Accommodations: Clair G. Brickner; Publicity, Franklin J. Van Osdel; Banquet, James Conmy; Entertainment; C. C. Wat-tam; Ladies Committee: We are to guess.

"UNCLE JIM" PASSES

The Mouse River Valley said goodbye this month to its pioneer of pioneers, "Uncle Jim" Johnson, of Minot, then tenderly laid him to rest in its peaceful environs, where "Uncle Jim" made history for fifty years or more.

"Uncle Jim" he has been to us for more than thirty years. "Uncle Jim" he will remain. During that period we had many opportunities to watch him, at work and at play. Always he exceeded our expectations. A practical psychologist, he guessed the need of every difficult situation, then met it. How frequently we just marvelled at his wit, his humor, his pleasing manner, his pathos, his ability to make his winnings look like his opponent's victory, his unfailing readiness to "take a licking" and come right up with a smile, a chuckle.

A worker? Yes, in season and out of season he was industrious. Persevering? Remarkably so, especially when sponsoring something that involved his home community, Minot. Loyal? Always, to everything worth while. Patient? Even with those who kicked him as they fell by the weight of their own wrong-doing. Enthusiastic? He fairly bubbled over, efficiently effervescent, he was. Ambitious? By all means, but never for "Jim" Johnson; it was always the cause of something or someone else. A builder? Verily; one of whom North Dakota speaks with pride.

From the first time we ever heard "Uncle Jim" expound the text, "Minot invites you," we snatched at every opportunity for fraternal, friendly and professional intercourse, with the definite and distinct assurance that we would be the gainer through the contact. Honest, courageous, whole-souled, happy "Uncle Jim"! North Dakota is better, richer, because of his having lived within its borders.