



1933

Unauthorized Practice/ Disciplinary/ We Quote Again

North Dakota Law Review Associate Editors

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operate, wholeheartedly, in carrying out the purposes of the Act, by disclosing their personal willingness to participate as consumers, and by refraining, professionally, from aiding, abetting or counselling the discovery or application of escapement policies. The duty of the lawyer, in this emergency, is to practice and preach good faith in every particular.

UNAUTHORIZED PRACTICE

In response to several inquiries recently made the items of expenditure which have been incurred and paid in the preliminary work of the committees on Unauthorized Practice are here given:

Association

S. E. Ellsworth, expense	\$ 12.76
Bismarck Tribune, printed matter	2.15
S. E. Ellsworth, expense	12.51
S. E. Ellsworth, service and expense	79.15
A. L. Knauf, service and expense	100.44
Charles G. Bangert, expense	16.05
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	\$223.06

Bar Board

S. E. Ellsworth, 1 day Bismarck, 4 days Fargo, and expense	\$158.83
S. E. Ellsworth, 1 day Washburn, and expense	31.43
Hazel Pierce, checking records register of deeds, Fargo	20.00
S. E. Ellsworth, 4 days Minot, and expense	121.75
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	\$332.01

The report of the committee will appear in the annual proceedings number of Bar Briefs in December.

DISCIPLINARY

One G., a lawyer, represented a defendant charged with driving an automobile while intoxicated, a felony. During the course of the employment, the defendant admitted his guilt to G., and admitted that he was intoxicated at the time of the accident. Thereafter, and without the defendant's knowledge or consent, G. instituted an action for damages against the defendant on behalf of a plaintiff injured in the accident out of which the criminal case arose. Upon the trial of the civil case, objection was made to the appearance of G. as counsel for the plaintiff, and, under direction of the Court, G. withdrew. Later G. was suspended from practice for the period of three months, the Court stating: "G. displayed a complete lack of appreciation of the ordinary and accepted canons of professional ethics."—*G. vs. State*, 23 Pac. (2) 291.

WE QUOTE AGAIN

"If in the opinion of the People, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. . . But let there be no change by usurpation for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."—*George Washington*.