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## What Would This Mean To America?

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tended and applied to the Territory of Dakota; that by virtue thereof it was the settled law of the territory that in both civil and criminal cases the trial jury should consist of twelve men with the indispensable requirement of unanimity in the verdict; that Section Seven of the State Constitution, providing that the right of trial by jury shall be secured to all and remain inviolate, preserves the historical jury of twelve persons with all its essential incidents, including the unanimous concurrence of the twelve jurors in the verdict, and that Chapter 333 of the Laws of 1923, purporting to dispense with a unanimous verdict, is void.

**Baird, as Receiver, v. National Surety Company of New York.**

This is an action against the principal and surety on the official bond of the president and cashier of a bank to recover on account of alleged defalcations of these officers. It was referred by stipulation to a referee, who made findings of fact and conclusions of law. **HELD:** That such action is an action at law and not triable de novo; that the defendants may prove by a preponderance that the bank had assets other than those shown by its books; that books and records purporting on their face to be the books and records of a bank, and which upon the closing of the bank were found in the possession of the president and cashier by a deputy state examiner, who also identified them as books and records examined by him while the bank was open and transacting business, are admissible in evidence against the president and cashier in an action upon their bonds and against their surety; that where the president and cashier of a bank unlawfully acting and conniving together caused the insolvency of the bank, each is liable for the full amount of the loss; and that the court may in its discrimination permit a competent witness who has examined the books with reference to the points sought to be established to testify as to the result of his examination, or to present schedules verified by his testimony where the facts sought to be proved are of such character and the books are so voluminous that the examination of each item would be laborious.

### **OFF THE RECORD**

You will observe reference to this topic at several places in the program for the annual meeting. Just what "Off the Record" means no one outside the membership of the Fargo Bar in charge of the program knows. All the information that it has been possible to draw from the committee is that it will prove an entertainingly interesting diversion from the grinding routine of business. The ingenuity of some rather clever men has developed this into a worth while feature, and instead of getting your minds off the very important and vital business of the annual meeting, we are assured that it will prove a decided stimulant to the mental wear and tear usually occasioned by too much serious consideration. In other words, the "Off the Record" item will put "pep" and "punch" into the sessions.

### **WHAT WOULD THIS MEAN TO AMERICA?**

Agents of the Baldwin government of Great Britain are now in the United States, making an intensive study of the food supply, with particular reference to the benefits that might result from mass purchases

as reflected in ultimate cost to the British consumer. This inquiry is supplementary to the one made last winter by the Royal Commission on Food Prices. Upon this final report, it is now definitely understood, hangs the adoption of a policy that will surely challenge the attention of the world and may have a decided bearing upon the influence of the proponents of Socialism in this country. The British plan, in brief, is that the Government shall purchase essential foodstuffs and sell them at cost to the laboring classes. The slogan in Great Britain is, "If there must be fundamental changes in British industry, (and the unemployment problem seems to demand something soon), let them be made by the friends of industry." It is our humble opinion that if this proposed change is made it will not be temporary and WILL BE reflected in new political movements in America—and that, notwithstanding anyone's hypnotic influence over the perambulations or noctambulations of that phantom illusion or fallacy of vision commonly referred to as American isolation.

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### WHO SAID "BY" THE PEOPLE?

The percentage of voters voting in this "land of the free, and home of the brave," whose blue-bosomed banner has never known the stigma of defeat but proudly floats over "the greatest, freest and best country on earth"—especially on holidays—the percentage of voters actually voting, we repeat, is a wonderful demonstration of twentieth century lip-service patriotism, as well as a fitting subject for an inspirational address entitled, "The Growth of Illiteracy in the United States." In 1896, 80% of our voting population successfully demonstrated that they, individually, knew how to use pencil and paper in a voting booth. By 1900 the figure had dropped to 72%, then to 65% in 1912, and 50% in 1920. The intensive special effort of hundreds of service clubs, lodges, employers' associations, and the various Bar Associations, raised the percentage to 52 in 1924. Verily, we must feel proud of ourselves when we note the reports that recent elections in Britain and Germany brought out a common, every-day, voting patriotism of 90%; twice verily, the present generation appears to be hopeless; and thrice verily, we repeat here what we have had the privilege of saying on a number of occasions, viz:

America's main hope lies in the coming generation. That hope will be wrecked or realized. And if we are to be fair with ourselves, we must admit that the efforts which have but recently originated (such as the Bar Association Constitution contests) have not, as yet, been sufficiently co-ordinated or distributed; they do not, as yet, justify the high hope that this incoming generation will find its citizenship morale on such a plane that it will enable it, courageously and effectively, to check the growth of destructive doctrines.

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### REGULATING PUBLIC SERVICE EMPLOYEES

Salt Lake City recently passed an ordinance making it illegal for any member of the public service to affiliate with any organization which might interfere with the discipline or conduct of public employees.