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HOMER HOCH
Justice of the Kansas Supreme Court

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FOREWORD

Justice Hoch, of our Supreme Court, whose picture is the frontispiece of this issue, has prepared an informative essay on electing a President of the United States. This article is timely and should be of interest, especially in view of the present situation arising in some of the states where candidates for national elector are not to be pledged to vote for any nominee of the national political convention.

In our October, 1943, BULLETIN attention was called to the resolution adopted by the House of Representatives, directing the Legislative Council to make a study of our judicial districts and whether there should be a redistricting. A committee of that council has made a preliminary report that the number of districts should be reduced to 30 and the number of district judges to 35. The present number of districts is 37 and the present number of district judges is 46. A copy of this report is printed later herein. The question of redistricting is one of great importance to the bench and bar. As a matter of information we print in this issue an article by Mr. Randal C. Harvey on "Recent Trends in the Business of District Courts" and an article by Mr. James E. Taylor on "General State Costs of District and Supreme Courts."

Since the enactment of the probate code in 1939 many questions arising under it have received the attention of the probate, district and supreme courts of the state. In the sessions of 1941 and 1943 the Legislature made some amendments to the code as originally enacted. Other amendments have been proposed. In an effort to keep the bar advised we print in this issue two suggested bills. One was prepared by a committee of the Legislative Council and among other things, if it is enacted by the Legislature, it will confer on the district court a considerable amount of original jurisdiction now resting in the probate court and will revive the old method of contesting a will. In this issue we print a copy of this proposed bill. The second bill was prepared by a committee of the Judicial Council in an effort to meet some suggestions that under the probate code where appeals are taken from the probate to the district court two trials are necessary where one should suffice. A copy of this bill is also printed in this issue. Both of these proposals were prepared before the supreme court handed down its opinion in *In re Estate of Grindrod*, 158 Kan. 345. The Judicial Council is not committed for or against either of these bills. They are presented so that those interested may give the subject matter consideration. We earnestly request that lawyers and judges write us their views and suggestions for our consideration.

We also print in this issue a letter written by Judge J. C. Ruppenthal, a former member and the secretary of the Judicial Council, showing the appropriations made for the council in years past and suggesting advantages of an increased appropriation.

We want to thank the clerks of the district court and the many members of the bar for their assistance in furnishing information concerning members of the bar who are or have been in the armed services of the United States. A complete list of lawyers who are or have been in the United States forces complete to July 1, 1944, is included in this issue.

ELECTING A PRESIDENT OF THE UNITED STATES

JUSTICE HOMER HOCH

Few people, apparently, regard the method provided by the Constitution for electing a president as a matter of much importance. Comment on the subject consists largely of facetious reference, every four years, to "the electoral college." And yet, in the opinion of most students of government, this part of our constitutional machinery is not only undemocratic but has very serious defects fraught with real public dangers. To these defects and potential dangers we give little or no concern, our presidential elections having ridden along, in the main, on fairly even keel. Until some emergency arises in a time of tense public feeling which may precipitate a political crisis we just can't be bothered. It is quite like the traditional Irishman's leaky roof, which didn't need fixing while the weather was fair and couldn't be fixed when it was raining.

Briefly stated, the serious defects of the present system are: First, a president may be elected—and has been—not only without having received the most popular votes but without having received as many electoral votes as his principal opponent; second, the votes of the minority in each state are not only uncounted for the candidate for whom they are cast, but in effect are actually counted for the opposing candidate; third, the provisions for electing a president in case no candidate receives a majority of the electoral votes are so defective that an *impasse* might easily occur, with no means provided in the Constitution for securing a president.

Debates in the Constitutional convention related almost as much to the methods of selecting personnel as they did to the principles upon which the new federal government was to be established. And wisely so. Whatever the form of government, it must be administered by men, and while a government bad in substance cannot be sanctified by administration a government good in principle may be perverted into tyranny by the men who run it. It was only natural, therefore, that having drawn the outlines of a central government of limited, delegated powers, with separate and coordinate branches for law *making*, law *interpreting*, and law *enforcing*, the Constitutional convention should debate at great length the methods of selecting those who were to exercise the various federal powers.

It is of course out of the question to attempt, here, a review of those debates. The principal decisions which were reached as to the legislative and judicial branches are familiar to nearly all. The national legislature was to be bicameral—with one chamber directly representing the people and the other representing the sovereign states. Without this major compromise between the large and small states, which gave representation in the House on the basis of population and gave each state the same representation in the senate the Constitution probably would not have been ratified. The principle of this compromise was carried over into the election of a President by giving to each state one electoral vote for each of its representatives and its two senators. Two important changes have been made as to election of repre-

sentatives and senators. The Constitution originally provided, in effect, that in the apportionment of representatives among the states a slave should be counted as three-fifths of a person. With the abolition of slavery this strange political and mathematical provision was formally eliminated by the fourteenth amendment. Senators were elected by the state legislatures until 1913, when the seventeenth amendment providing for their election by popular vote was adopted. As to the judiciary, one of the principal decisions of the framers of the Constitution was to fortify Independence of judicial action by a life tenure for federal judges. Whether this provision is a wise one has long been a question for debate. These and other interesting questions have more or less pertinent relation to our immediate subject but permissible length of this paper prevents their discussion here.

We come to the subject of this paper—the method provided for electing the executive head of the federal government. Few subjects before the convention aroused such extended and acrimonious debate. At least four or five proposals were seriously considered. The so-called Virginia plan, the Pinckney plan, and the New Jersey plan all proposed that the president be elected by congress. George Mason of Virginia, one of the most active members of the convention and a man with a distinguished record as a patriot and statesman, said that it was “as unnatural to refer the proper character for chief magistrate to the people as it would be to refer a trial of colors to a blind man.” And because of his dissatisfaction with the Constitution as adopted he became one of three framers who refused to sign it, and together with Patrick Henry led the fight against its ratification by Virginia.

The convention first adopted a resolution providing that congress should name electors who in turn should select a president. Two days later the convention reversed its action and provided for election of the electors by the state legislatures. A week later it again reversed itself and passed a resolution providing for election of the president directly by congress, with a seven year term. Finally the Electoral College system was adopted as we now have it, except for one important change, to be presently noted, which was made by the twelfth amendment in 1804. The plan was taken from a similar provision in the Constitution of Maryland. It was designed largely for a non-partisan government—political parties not then having fully developed. Apparently the primary principle which the framers thought they were adopting was the selection of a president by a group of men especially fitted for the task. These “electors” were to select a president much as a board of directors selects a manager for a corporation. Alexander Hamilton wrote in the *Federalist*: “It is equally desirable that the immediate election should be made by men most capable of analyzing the qualities adapted to the station and acting under circumstances favorable to deliberation, and to a judicious combination of all the reasons and inducements that were proper to govern their choice. A small number of persons, selected by their fellow citizens from the general mass, will be most likely to possess the information and discernment requisite to so complicated an investigation.” It is one of the interesting developments of our constitutional history that without any change in the law this fundamental principle soon ceased to operate. The electors became mere instruments for registering the popular vote of the states. Nevertheless, the Hamilton theory was the one upon which the electoral system was based. After Washington’s

two terms, when Jefferson and Adams were the leading contenders, three electors who were members of the Jefferson party voted for Adams and yet their act aroused no public resentment. But the bitter controversies and personal animosities engendered in the four years of John Adams' term—largely by his temper and ineptitude in dealing with those around him—brought a radical change in sentiment concerning the election of a president. This turmoil terminated in the bitter Jefferson and Burr controversy in congress. The Constitution provided that the electors should meet in their respective states and vote by ballot for two persons. No separate vote for president and vice-president was cast. These ballots were to be sealed and transmitted to the president of the senate and by him opened and counted in the presence of the senate and the house. The person receiving the highest vote was to be president and the next highest to be vice-president. At the first election Washington received 69 votes and John Adams 34, the latter thus becoming vice-president. In the election of 1796 Adams became president on a margin of only three votes over Jefferson, who became vice-president. The election of 1800 was an intense one with Adams and Pinckney on one ticket and Jefferson and Burr on another. Jefferson and Burr each had 73 electoral votes and Adams and Pinckney 65. The Constitution provided, as heretofore noted, that each elector should vote for two persons, and it further provided that if there should be a tie vote the election should be made by the House of Representatives from among those whose votes were tied. Jefferson and Burr were tied. While there probably was not a single elector who voted for Burr with the intention that he should be president—the understanding being that he was to be vice-president if Jefferson were elected president—the constitutional provision as it then existed made it possible for the House to select either Jefferson or Burr. The feeling against Jefferson was intense among most of the Federalists, who were in full control of the House. And so a movement sprang up to name Burr instead of Jefferson. Not that the Federalists hated Burr less but that they hated Jefferson more. It was an unconscionable proposal—to which the brilliant but unprincipled Burr gave covert consent—but it would have prevailed had it not been for the opposition of a few Federalists, the most aggressive and influential one being Jefferson's arch political enemy, Alexander Hamilton. Had it not been for Hamilton, Burr probably would have been president instead of Jefferson. Hamilton wrote to Gouverneur Morris, "I trust the Federalists will not finally be so mad as to vote for Burr. I speak with intimate and accurate knowledge of character. His elevation can only promote the purposes of the desperate and the profigate. If there be a man in the world I ought to hate it is Jefferson. With Burr I have always been personally well, but the public good must be paramount to every private consideration." This service of Hamilton became an enduring monument to his high-mindedness.

As a result of this Jefferson-Burr incident the twelfth amendment was submitted and ratified in 1804. The electors now vote separately for president and vice-president, and in case there is a tie vote for president, selection is made by the House from the three highest. In case there is a tie vote for vice-president, selection must be made by the Senate from the two highest on the list.

Both under the original Constitution and under the twelfth amendment the

state legislatures have power to determine the method of naming electors. Originally electors were selected by the legislatures and as late as 1824 there were still six states that so selected them. South Carolina did not provide for election of the electors by the people until after the Civil war.

In 1824, at the close of the Monroe administration, there again occurred a bitter contest in the House of Representatives over the election of a president, accompanied by personal charges and public scandal. That contest, which resulted from the unfortunate provisions of the Constitution, fomented strife and ill-will which endured for many years. Out of a total popular vote of less than four hundred thousand, Andrew Jackson had a majority of about fifty thousand over John Quincy Adams, and had ninety-nine electoral votes as against eighty-four for Adams. But Henry Clay and Crawford of Georgia, who were also candidates, together had eighty-seven electoral votes, which was sufficient to prevent Jackson having a majority of the total number. This threw the election into the House of Representatives, where Adams was elected by the vote of thirteen states as against seven for Jackson. Thus it came about that Jackson, with substantially more popular votes and with fifteen more electoral votes than Adams, lost the presidency and Adams won it. Had the times been just ripe for it such a result might well have caused serious public uprising.

It would transgress the limits of this paper to narrate at length the circumstances and political upheaval incident to the Hayes-Tilden contest in 1876. The close of the election left the result in doubt. In four states contests took place with both sides claiming the electoral vote of the state. It is generally conceded that Tilden had a popular majority of approximately a quarter of a million. The twenty-two electoral votes in dispute were sufficient to turn the election either way. Public feeling ran high. Finally congress—with doubtful constitutional warrant—created a commission to decide the contests from the disputed states. The commission, consisting of five members from the House, five members from the Senate, and five members of the Supreme Court, decided the various contests amidst the most intense excitement and bitterness, giving the election to Hayes by one electoral vote—185 to 184. Only wise counsel, to which Tilden patriotically contributed by his course of moderation, prevented uprising and possibly civil war. All this would have been prevented by some simple changes in the constitutional provisions for election of a president.

I have not yet spoken of the most illogical and indefensible part of the present system. I refer to its disfranchisement, in every state, of the minority voters. A plurality of one thousand, of one hundred, even of one vote in a vote of five million in New York state swings that state's forty-seven electoral votes. Thus as many as two and a half million voters in that state may not only be denied representation in the electoral vote, but actually have their votes counted for the candidate they oppose! A like result does happen to all minority votes in every state every time we elect a president. I know of nothing in our constitutional system more illogical or undemocratic.

Not only is this disfranchisement of the minority voters in every state indefensible, in my opinion, but the provision for election by the House of Representatives in case of a tie is both illogical and inadequate for meeting contingencies. Although the apportionment of electoral votes among the states is based largely on population, the population factor is entirely disregarded when

the election is thrown into the House. In that event each state has one vote. Nevada, with one member and with three electoral votes, has the same one vote in a House election of a president as New York, with forty-five members and forty-seven electoral votes. And if a state delegation in congress happens to be tied, the state loses its vote entirely. Furthermore, the Constitution requires a *majority of all the states* to elect. It is surprising that a situation has not already arisen where no candidate could get a majority of the states. With three or more parties represented in the House it could easily happen that no eligible candidate could get a majority of all the states. It is true that if the House fails to elect a president the vice-president is to act as president, but a like provision obtains for election of a vice-president by the Senate and the Senate might easily be unable to elect a vice-president. If such a situation should arise the Constitution has no answer to it. Nor is there any provision for another election. What is the answer?

In itself the answer is not difficult. But unfortunately the obstacle of democratic inertia, of commanding the attention and convincing the understanding of the electorate to a point of action is very great. At various times in our history public spirited men have sought to arouse public interest in the matter and to secure submission of a constitutional amendment, but to no avail. Senator Benton of Missouri agitated the subject in the eighteen twenties and thirties, and in the seventies Senator Morton of Indiana made it his legislative hobby and submitted a very able and convincing committee report and recommendation. In the nineties DeArmond, of Missouri, as Chairman of the Judiciary Committee, submitted another and similar report. In recent years Congressman Lea of California, able and public-spirited, has followed in their footsteps and has several times secured a favorable committee report. But always the deeply needed change gets lost in the maze of matters which carry a more immediate and material appeal to members and to constituencies. We are waiting for the big rain before fixing the roof!

Space will not permit discussion of various proposals that have been made. I will therefore only briefly state the plan which seems to me to be the simplest, the fairest, and the most likely to be ratified if submitted as a Constitutional amendment. The heart of the plan, which has been called the "proportional plan," is to divide the electoral vote of each state in the same proportion as the popular vote of that state. For instance, if two-thirds of the Kansas voters vote for the Republican candidate and one-third for the Democratic candidate, the former would get two-thirds of our electoral votes and the latter would get one-third. Thus every voter, whether in the majority or in the minority, would have his vote registered and represented in the election of a president. No voter would be disfranchised, as millions of them virtually are now in every presidential election. There are two reasons which appeal to me for favoring the submission of such an amendment rather than one which disregards the states entirely and determines the result on the popular vote of the country as a whole. The first reason is that it would preserve the principle of the compromise—to which reference has been made—between the large and small states in the creation of congress—House members according to the state population but equal representation in the Senate. This compromise tends to lessen somewhat the comparative influence of the large and rich states—a consideration which I believe has been proved fair and wholesome from the standpoint of national unity. To make the point plainer, the plan

would not disturb the electoral apportionment which gives Kansas, and every other state, one elector for each senator as well as one for each member of the House. Election by the whole popular vote of the nation, computed as a unit, would disregard the historic compromise between large and small states and give undue influence to the heavy population of certain states. The second reason is that there would be little hope of securing the adoption of an amendment which discarded the present allocation of electoral votes among the states and provided for election by the popular vote of the nation as a whole.

In dividing the electoral vote of a state under the "proportional plan" small fractional numbers would be disregarded unless necessary to determine the result. The technical features are simple enough, not difficult of operation, but need not here be discussed in detail. The plan would remove uncertainty, render the election of a president by the House of Representatives—with its potentialities of scandal and bitterness already demonstrated historically—forever unnecessary, and take away the serious possibility that some day we may find ourselves without a president and with no constitutional way to get one. It would wipe out the present disfranchisement of minority voters in the several states and prevent any candidate with less electoral votes than his opponent from becoming president.

COMMITTEE REPORT ADOPTED BY LEGISLATIVE COUNCIL

MR. CHAIRMAN: Your Committee on Judiciary, which has had under consideration Proposal No. 17, to carry out House Resolution No. 46, Session of 1943, submits herewith its final report recommending a reapportionment of judicial districts and an increase in the salaries of judges.

FINDINGS OF THE COMMITTEE

The Committee makes the following findings based on its study of factual information and after consultation of members of the Committee with lawyers, district judges, and others.

(1) There has been a general state-wide decline in the volume of district court work during the past five years, and for a much longer period in the case of a number of below-average districts. Many judges are now unoccupied a portion of their time and could handle considerably more cases than they are now required to administer.

(2) The amount of work varies greatly among the thirty-seven judicial districts of the state, and in some districts it is very light compared with the number of cases other districts are now handling, and particularly as compared with the number of cases which were handled in previous years.

(3) Reapportionment of judicial districts for the purpose of decreasing the number of districts and of judges, and of equalizing the amount of judicial work in these districts is desirable and feasible.

(4) Salaries of justices of the supreme court and judges of the district courts in Kansas are substantially below salaries paid for similar positions in most of the other states. They are also low in comparison with earnings of competent attorneys in private practice.

(5) Increase in these salaries need not mean an increase in the cost of administering the courts, if the state is redistricted in accordance with the recommendations made later, since there would be a saving in the reduction of the number of judges and the accompanying reduction in the number of court reporters. While the matter of expense is not a primary factor in the administration of justice, nevertheless, the plan recommended would result in a saving of \$20,980 annually.

RECOMMENDATIONS

The Committee makes the following recommendations to the legislative council for submission to the 1945 legislature in accordance with the instructions contained in the original House resolution:

(1) There should be a reapportionment of judicial districts by the 1945 legislature. It is the conclusion of the Committee that this reapportionment should be of a general and comprehensive nature, not consisting merely of the shifting of a few counties from one district to another district for the purpose of patching the existing arrangement.

(2) The number of judicial districts should be fixed at not more than thirty and the number of district judges at not more than thirty-five.

(3) Salaries of district judges should be increased from \$4,000 to \$5,500 per annum. Payment of additional compensation for judges acting in other capacities, such as jury commissioner, should be discontinued, and the present statutory provision therefor (G. S. 1943 Supp., sec. 43-147) should be repealed.

(4) Based on the Committee's interpretation of the supreme court's opinion on the case of *State v. Gaitskill*, 133 K. 389 (1931), salaries of judges whose district has been abolished must be continued until the expiration of their term of office. Authority should be given the chief justice of the supreme court to assign such judges to any of the districts in order to equalize the work of the courts.

(5) Salaries of supreme court justices should be increased from \$6,000 to \$7,500 per annum.

(6) No retirement plan for district judges or justices of the supreme court should be adopted.

The recommendations enumerated above also apply to Proposal No. 18, introduced by Senator Dale, which deals in general with the same subject matter as the present proposal, No. 17. Under Proposal No. 18, special consideration was given to the possibility of creating county courts of general jurisdiction, and of establishing a few large districts, each having several judges, with authority granted for the assignment of judges within the separate districts.

Although somewhat broader in scope, this Proposal and No. 17 have been largely considered together. In consequence, the recommendations submitted herein also apply to Proposal No. 18.

Your Committee recommends that this report of findings and recommendations be adopted, and be submitted to the proper committee of the 1945 legislature; and, that the attached supplementary material containing the detailed findings and factual information considered by the committee, also be submitted to the committees of the 1945 legislature, but that such supplementary material be not printed in the legislative council journal.

[Signed] ALEX HOTCHKISS, *Chairman*.

RECENT TRENDS IN THE BUSINESS OF DISTRICT COURTS

A Study of the Number and Types of Cases in District Courts, Particularly in Twelve Representative Counties During the Last Five Years

RANDAL C. HARVEY

It has been repeatedly asserted that during the past five years there has been a substantial decline in the number of cases tried in the district courts. This forms the basis for the proposal of the Legislative Council to reduce the number of district judges and judicial districts. But the Legislative Council has based its proposal upon general statements, rather than any detailed study of the type of cases which have fallen off; and no attempt has been made to determine whether the decline in district court business is likely to be more or less permanent. Statistics heretofore published by the Judicial Council have dealt with the gross number of cases tried, dismissed, etc., but no tables have been prepared to show the nature of these actions, except to distinguish between criminal and civil cases and to separate the civil cases between divorce suits and cases other than divorce.

The limited funds of the Council make such a compilation impossible at this time, for the entire state, and this study is therefore confined largely to twelve representative counties, of varying size, in different judicial districts and different parts of the state. These counties were chosen at random, without any attempt to prove or disprove any particular theory.

A Glance at the State as a Whole

Before giving the figures for the twelve selected counties, we will summarize the information which is available for the state as a whole, with regard to the number of cases disposed of, and the number of jury trials. This is shown by the published reports of the Judicial Council, commencing with statistics for the year ending June 30, 1927, and continuing until the present time, with the exception of the years 1932, 1934, and 1936, when no district court statistics were published. These reports show:

DISTRICT COURTS—STATE AS A WHOLE

Cases disposed of

<i>Year ending June 30</i>	<i>Civil other than divorce</i>	<i>Divorce cases</i>	<i>Total civil cases</i>	<i>Criminal cases</i>	<i>Jury trials</i>
1927	10,035	3,886	13,921	3,494	1,265
1928	10,331	4,222	14,553	3,619	1,314
1929	11,229	4,827	16,056	3,726	1,340
1930	12,149	5,424	17,573	4,098	1,271
1931	12,011	5,264	17,275	4,647	1,590
1932—no report					
1933	14,622	4,288	18,910	3,834	1,195
1934—no report					
1935	14,621	7,312	21,933	3,456	1,001
1936—no report					
1937	12,953	5,864	18,817	2,848	712
1938	11,915	5,576	17,491	2,930	843
1939	12,235	6,850	19,185	2,659	811
1940	10,092	5,535	15,627	2,678	806
1941	9,478	5,615	15,093	2,506	683
1942	8,918	5,930	14,848	2,081	690
1943	6,738	6,108	12,940	1,638	397

These figures refer to cases disposed of—terminated by judgment or dismissal—rather than cases filed, because that is the only way in which the statistics were compiled, up to 1941. Generally speaking, the number of cases filed is about the same as the number of cases disposed of (with occasional local exceptions), but the cases disposed of are those which were filed several months earlier. Thus a majority of the cases disposed of in the year ending June 30, 1943, were filed in the calendar year 1942, and so forth for the other years. Otherwise these tables fairly represent the current trend of business in the district courts of the state.

From the above figures, it appears that there was a steady increase in the number of civil cases in the district courts from 1927 to 1933 and 1935, and since then a steady decline. Generally speaking, the decline has been in civil cases other than divorce, although the peak number of divorce cases was also reached in 1935.

The years 1927 to 1929 are generally regarded as years of prosperity, and the years from 1940 to the present time cover the period of preparation for and participation in the present war. The years 1933 and 1935, about half way between, show the greatest number of civil cases. This suggests the thought that the increase was in the type of litigation which arose out of the depression, particularly foreclosures.

In 1927 there were the same number of district judges as at the present time. Since then, one division of the district court has been abolished in Crawford county, and a new judicial district created in Reno county. There was no suggestion or complaint in 1927 that we had too many district judges or judicial districts; and there was some demand for county courts to take part of the load off the district courts. Yet the total number of civil cases in both 1927 and 1928 was less than in 1942; and the number of civil cases other than divorce exceeded the 1927 figure up to 1941.

In criminal cases the situation is somewhat different. The peak was reached in 1931, instead of 1935, and by 1939 the number had fallen to about three-fourths the 1927 total, and has remained below that figure since then. In a general way, the same can be said of jury trials, both civil and criminal.

Referring particularly to the last five years, 1939 to 1943, inclusive, the decline in the number of civil cases disposed of has been 32.6% for the state as a whole, while the decline in criminal cases had been 38.3%. Part of the decline in criminal cases for the years 1939 to 1942, inclusive, is probably due to the increasing practice of filing misdemeanor cases in city and county courts. We have no records for the city courts before 1943, but the county court statistics show their business for the last five years as follows:

Year	Civil within J. P. jurisdiction	Civil above J. P. jurisdiction	Total civil	Mis- demeanors
1939	1,001	212	1,213	1,854
1940	942	188	1,130	1,773
1941	907	188	1,095	1,925
1942	993	162	1,155	2,121
1943*	.....	...	1,077	1,744

* Civil cases not separated in 1943.

There were only fourteen county courts in 1927, while there were 42 in 1943.

A consideration of the business for the state as a whole should take into account the fact that 590 Kansas lawyers are or have been in the armed forces; and that many others are engaged in government work or otherwise out of the

practice. Of the number remaining, many are holding judicial or other full time public offices, and many have retired or are engaged in nonlegal work. Excluding these classes, it is conservative to say that the number of lawyers in active practice today is not over fifty percent of the number practicing in 1939.

Types of Business in Twelve Counties

The counties selected for this study are as follows:

Barton	Labette
Bourbon	Lyon
Brown	Marshall
Chautauqua	Meade
Decatur	Pratt
Harvey	Wallace

This list includes counties in every part of the state, in different judicial districts, and of varying size. The business in these counties should reflect a fair average of the business of the state as a whole except the three large multiple-judge counties of Sedgwick, Shawnee and Wyandotte.

The number of cases disposed of in these twelve counties during the years ending on June 30 of 1939 to 1943, inclusive, are shown by the following table:

NUMBER AND TYPES OF CASES DISPOSED OF IN DISTRICT COURTS OF TWELVE COUNTIES

	1939	1940	1941	1942	1943
Recovery of money	208	200	153	181	114
Damages	84	73	92	100	59
Foreclosure	492	318	228	161	129
Quiet title	116	104	139	151	144
Divorce	436	440	425	486	392
Replevin	14	10	13	19	10
Ejectment	4	2	2	2	3
Injunction	20	24	10	14	7
Partition	61	43	40	66	55
Condemnation	15	4	11	20	2
Set aside will	2	3	2	..	..
Construe will	5	5	5	8	4
Other equitable remedies	33	28	22	32	26
Habeas corpus	..	1	3	2	1
Mandamus	..	1	1	1	1
Change of name	2	2	4	9	7
Rights of majority	12	12	13	18	16
Separate maintenance	7	10	7	15	20
Annulment	2	3	2	5	6
Appeals—Justice Courts	31	33	28	24	17
Probate	11	17	13	7	14
Workmen's Compensation	7	8	7	5	4
Other	3	4	4	..	1
Miscellaneous	19	11	34	19	17
Transcripts	5	16	6	5	4
Total civil	1,589	1,372	1,264	1,354	1,053
Criminal	257	204	236	205	131
Total all cases	1,846	1,576	1,500	1,559	1,184
Jury trials	76	42	50	48	30

The above table shows, among other things, the great variety of cases with which the district courts have to deal. Although an effort was made to make the classification of cases as detailed as possible, it was found necessary to include two general classifications, "Other Equitable Remedies" and "Miscellaneous," to avoid unduly extending it. Judges of the district courts must be prepared at all times to decide questions of law, evidence and procedure in this multifarious litigation. For this reason the statute (G. S. 20-105) requires judges of the district courts to have the same qualifications as justices of the

supreme court. These are the only courts in which the judges are even required to be admitted to the bar, with the exception of a few city courts.

The above table shows that the number of civil cases in the twelve selected counties has declined 33.7% between 1939 and 1943, as compared with 32.6% for the state as a whole. However, the greater part of this decline was between 1942 and 1943. The decline in number of cases from 1939 to 1942 was only 14.8%.

Of the specific types of litigation, the greatest decline is in foreclosure cases. From 1939 until 1943, there were 363 less foreclosure cases out of a total decline of 536. From 1939 to 1942 there was a decline of 331 foreclosure cases, although the total decline in civil cases in these twelve counties was only 235. This means that there was an actual increase of almost 100 civil cases, exclusive of foreclosure cases, from 1939 to 1942. This certainly tends to establish the proposition that the gross decline in the number of cases in the district courts of the state (which commenced in 1935) is almost wholly accounted for by the decline in foreclosure cases—at least until the years 1942-1943 when the business was directly affected by wartime conditions.

The general trend of civil business in these counties has not been affected by any substantial increase in divorce cases. In fact, the above table shows fewer divorce cases in 1943 in these twelve counties than in 1939, with minor fluctuations in the years between. This also corresponds to the record of the state as a whole, which shows fewer divorce cases in 1943 than in 1939, although for some reason 1939 as well as 1935 appear to be exceptional years in the high number of divorce cases.

It also appears that the changes in probate procedure have had little effect upon the business of the district courts in the twelve counties above named. In the year ending June 30, 1939, prior to the enactment of the Probate Code, the number of original cases relating to wills was negligible compared to the total business of these courts, and the slight decline in this type of case has been offset by a slight increase in the number of probate appeals. From these figures, it cannot be said that the changes made by the Probate Code and the decisions thereunder have either increased or decreased the business of the district courts.

The decline in criminal cases in these counties from 1939 to 1943 was 49% compared to 38.3% for the state as a whole. The decline in jury trials, including both civil and criminal cases, was 60.5% compared with 50.8% for the state as a whole.

In the twelve counties represented by the above table, our latest reports show 61 lawyers in the military service and about 105 lawyers remaining in active practice. The latter figures are taken from Martindale-Hubbell Law Directory, omitting lawyers in the service or otherwise absent and those holding full time official positions.

Business in Particular Counties

In the twelve counties covered by the above table, there is a wide variance between the number and type of cases during the years covered. Some of the counties have little or no decline in district court business. Others show a greater decline, compared to 1939, than in the state as a whole. The following condensed summaries show the business in the separate counties:

BARTON COUNTY—NUMBER OF DISTRICT COURT CASES

	1939	1940	1941	1942	1943
Recovery of money	42	20	22	24	22
Damages	7	1	11	10	4
Foreclosure	18	12	15	8	4
Quiet title	27	13	18	26	31
Divorce	46	50	51	68	49
Other civil cases	32	30	32	26	34
Total civil cases	172	126	149	164	144
Criminal cases	46	34	34	41	28
Jury trials	4	3	11	13	3

Barton county is a part of the Twentieth Judicial District, which is composed of three counties. It has no county court. The decline of business in this county has been less than for the state as a whole. There have been comparatively few foreclosure cases in this county during any of the years from 1939 to 1943.

BOURBON COUNTY—NUMBER OF DISTRICT COURT CASES

	1939	1940	1941	1942	1943
Recovery of money	18	13	10	14	10
Damages	13	16	10	10	12
Foreclosure	61	45	26	14	13
Quiet title	5	15	10	13	15
Divorce	42	52	84	60	53
Other civil cases	25	26	23	29	32
Total civil cases	166	167	163	140	135
Criminal cases	51	36	64	32	14
Jury trials	8	2	6	3	3

Bourbon county is a part of the Sixth Judicial District composed of two counties. It has no county court. The decline in foreclosure cases from 1939 to 1943 has been greater than the total decline in civil cases, so that there has been an actual increase in other types of civil litigation. There is an extraordinary decrease in the number of criminal cases.

BROWN COUNTY—NUMBER OF DISTRICT COURT CASES

	1939	1940	1941	1942	1943
Recovery of money	20	27	10	13	8
Damages	10	4	4	3	3
Foreclosure	58	61	23	21	20
Quiet title	10	7	8	8	11
Divorce	34	30	21	22	23
Other civil cases	27	27	23	29	14
Total civil cases	159	156	89	96	79
Criminal cases	14	4	12	9	6
Jury trials	8	5	4	4	3

Brown county is part of the Twenty-second Judicial District, composed of three counties. It has a county court established in 1937, in which the number of cases, both civil and criminal, has been as follows: 1939, 156; 1940, 84; 1941, 114; 1942, 75; 1943, 82. The decline in business in this county has been largely in foreclosure cases, but there is some decline in other types of business.

CHAUTAQUA COUNTY—NUMBER OF DISTRICT COURT CASES

	1939	1940	1941	1942	1943
Recovery of money	5	2	12	11	12
Damages	1	1	4	4	3
Foreclosure	16	..	8	15	9
Quiet title	2	1	1	5	2
Divorce	16	11	16	19	13
Other civil cases	12	2	21	28	13
Total civil cases	52	17	62	82	52
Criminal cases	10	6	11	10	4
Jury trials	6	1	4	3	3

Chautauqua county is a part of the Thirteenth Judicial District, composed of four counties, with two judges. It has no county court. There has been no decline in civil business in this county since 1939. There has been a decline in foreclosure and divorce actions, which is offset by an increase in the other types of cases.

DECATUR COUNTY—NUMBER OF DISTRICT COURT CASES

	1939	1940	1941	1942	1943
Recovery of money.....	5	2	3	6	5
Damages .....	..	..	..	3	..
Foreclosure	37	9	14	13	26
Quiet title	3	6	4	1	10
Divorce	6	8	6	6	13
Other civil cases	11	7	5	10	14
Total civil cases	62	32	32	39	68
Criminal cases	9	2	6	3	3
Jury trials	3	..	..	1	..

Decatur county is a part of the Seventeenth Judicial District, composed of five counties. It has a county court established in 1937, in which the number of cases, both civil and criminal, has been as follows: 1939, no report; 1940, 39; 1941, 21; 1942, 37; 1943, 21. The total number of civil cases in 1943 is greater than in 1939, but there is a decline in the intervening years which is almost entirely accounted for by decline in foreclosure cases, which show an increase in 1943.

HARVEY COUNTY—NUMBER OF DISTRICT COURT CASES

	1939	1940	1941	1942	1943
Recovery of money	26	29	20	18	4
Damages	15	12	19	16	7
Foreclosure	6	11	9	7	1
Quiet title	25	18	30	21	15
Divorce	54	50	37	46	23
Other civil cases	38	32	35	26	19
Total civil cases	164	152	150	134	69
Criminal cases	36	26	15	18	11
Jury trials	8	5	2	2	2

Harvey county is part of the Ninth Judicial District, now composed of two counties. It has a county court established in 1940, in which the number of cases, both civil and criminal, is as follows: 1941, 48; 1942, 54; 1943, 34.

LABETTE COUNTY—NUMBER OF DISTRICT COURT CASES

	1939	1940	1941	1942	1943
Recovery of money	11	14	11	22	13
Damages	9	16	24	18	13
Foreclosure	29	20	17	9	3
Quiet title	3	8	10	22	16
Divorce	104	77	75	122	117
Other civil cases	25	16	14	33	31
Total civil cases	181	151	151	226	193
Criminal cases	32	39	34	61	29
Jury trials	7	7	8	11	9

Labette county constitutes the Sixteenth Judicial District. It has no county court. The number of civil cases in this county was greater in 1942 and 1943 than in 1939, although foreclosure suits decreased. This may be accounted for by increased population due to defense work.

LYON COUNTY—NUMBER OF DISTRICT COURT CASES

	1939	1940	1941	1942	1943
Recovery of money	38	38	28	27	9
Damages	9	10	13	15	3
Foreclosure	94	48	38	26	10
Quiet title	9	5	11	16	8
Divorce	72	84	77	86	35
Other civil cases	37	41	21	28	18
Total civil cases	259	226	188	208	83
Criminal cases	25	20	15	13	11
Jury trials	13	11	6	4	..

Lyon county is part of the Fifth Judicial District, composed of three counties. It has no county court. This county shows the greatest decline in number of civil cases of all types. The greater part of this decline is between 1942 and 1943. Between 1939 and 1942, the decline in civil suits can be attributed entirely to decrease in number of foreclosure suits.

MARSHALL COUNTY—NUMBER OF DISTRICT COURT CASES

	1939	1940	1941	1942	1943
Recovery of money	15	13	16	19	17
Damages	9	2	3	8	6
Foreclosure	76	45	35	28	31
Quiet title	10	11	16	15	13
Divorce	23	29	23	24	26
Other civil cases	20	21	23	25	18
Total civil cases	153	121	116	119	111
Criminal cases	9	6	10	4	9
Jury trials	6	5	2	2	1

Marshall county is part of the Twenty-first Judicial District, composed of three counties. It has a county court established in 1929, in which the number of cases, both civil and criminal, was as follows: 1939, 156; 1940, 160; 1941, 185; 1942, 160; 1943, 108. The decline in district court business from 1939 to 1943 is represented entirely by decrease in number of foreclosure suits.

MEADE COUNTY—NUMBER OF DISTRICT COURT CASES

	1939	1940	1941	1942	1943
Recovery of money	9	18	6	13	5
Damages .....	..	1	..	..	..
Foreclosure	41	23	10	3	2
Quiet title	5	5	3	4	6
Divorce	4	7	1	5	7
Other civil cases	4	4	16	10	6
Total civil cases	63	58	36	35	26
Criminal cases	12	10	4	4	6
Jury trials	3	2	..	..	2

Meade county is a part of the Thirty-first Judicial District, composed of six counties. It has no county court. The decline in business from 1939 to 1943 is entirely represented by the decrease in number of foreclosure cases.

PRATT COUNTY—NUMBER OF DISTRICT COURT CASES

	1939	1940	1941	1942	1943
Recovery of money	18	22	11	11	9
Damages	11	10	4	11	8
Foreclosure	17	15	28	11	2
Quiet title	9	11	8	4	5
Divorce	31	42	32	24	33
Other civil cases	24	29	21	25	23
Total civil cases	110	129	104	86	80
Criminal cases	13	17	31	10	10
Jury trials	1	10	7	4	2

Pratt county is a part of the Twenty-fourth Judicial District, composed of four counties. It has no county court. There has been a moderate decline in the number of civil cases, of which about half is accounted for by decrease in foreclosure cases.

WALLACE COUNTY—NUMBER OF DISTRICT COURT CASES

	1939	1940	1941	1942	1943
Recovery of money.....	1	2	4	3	..
Damages .....	..	..	..	2	..
Foreclosure	39	29	5	6	8
Quiet title	4	4	6	5	3
Divorce	4	..	2	4	..
Other civil cases .....	..	..	7	5	2
Total civil cases	48	37	24	25	13
Criminal cases .....	..	4	..	..	..
Jury trials .....	..	1	..	..	..

Wallace county is a part of the Twenty-third Judicial District, composed of five counties. It has a county court established in 1923, in which the number of cases, both civil and criminal, was as follows: 1939, 12; 1940, 8; 1941, 5; 1942, 10; 1943, 11. The decline in business in this county is almost entirely accounted for by decrease in number of foreclosure cases.

THE THREE LARGE COUNTIES

While the twelve counties above mentioned are typical of the different parts of the state, they are not necessarily representative of conditions in the three larger counties, Sedgwick and Wyandotte, which have four judges each, and Shawnee which has three judges. For that reason, brief attention will be given to the total number of cases in these three counties, although we do not have the detailed figures as to the various types of business. The following table shows the number of cases disposed of in these three counties during the years 1939 to 1943, inclusive.

	Civil cases except divorce	Divorce cases	Total civil cases	Criminal cases	Jury trials
1939—Sedgwick	1,072	586	1,658	464	133
Shawnee	523	463	986	233	43
Wyandotte	1,972	643	2,615	159	95
Total	3,567	1,692	5,259	856	271
1940—Sedgwick	1,185	1,000	2,185	523	185
Shawnee	505	593	1,098	381	47
Wyandotte	790	526	1,316	170	95
Total	2,480	2,119	4,599	1,074	327
1941—Sedgwick	1,112	1,085	2,197	266	108
Shawnee	544	577	1,121	330	48
Wyandotte	786	603	1,389	475	96
Total	2,442	2,265	4,707	1,071	252
1942—Sedgwick	1,103	1,188	2,291	347	138
Shawnee	508	604	1,112	255	48
Wyandotte	629	737	1,366	163	84
Total	2,240	2,529	4,769	765	270
1943—Sedgwick	732	1,439	2,171	249	70
Shawnee	327	631	958	200	19
Wyandotte	467	783	1,250	154	69
Total	1,526	2,853	4,379	603	158

From these figures, it does not appear that there has been any decline in civil business in Sedgwick and Shawnee counties between 1939 and 1942, and that the only material change is between 1942 and 1943. Wyandotte shows an exceptional decrease between 1939 and 1940, but this may be due to the dismissal of a large number of pending cases in 1939. The decline in jury trials in these three counties is also limited to the last year.

General Conclusions

Statistics can be used, and often are used, to prove a particular point, without sufficient detail or analysis to demonstrate anything, except the preconceived opinion of the compiler. To avoid that result, it should be emphatically stated that we do not claim that this study is sufficiently comprehensive to demonstrate whether or not there should be a drastic change in the number of judges and judicial districts. Twelve counties do not equal the state of Kansas—and five years is too short a period for an adequate study upon which to base a general judicial reapportionment.

But we do suggest that an adequate study should be made along these lines before any general reapportionment is made. For a few thousand dollars a complete report could be secured from every county for a period of twenty years or more, showing the number and type of cases filed in the district court for each calendar year. This might be done by the Legislative Council or the Judicial Council, but it could probably be better done by the clerks of the courts themselves, from their own appearance dockets.

From the limited information available, we submit the following suggestions relating to the trend of business in the district courts of the counties covered by this study:

Foreclosures. Undoubtedly this is the type of business which is subject to the greatest fluctuation. The number of cases will always multiply in times of depression and will decline in times of prosperity. These fluctuations are so great that they cause substantial changes, from year to year, in the total business of the district courts. This makes the total number of district court cases filed (or cases disposed of) an unreliable factor upon which to base a judicial reapportionment to endure for a future period of years.

No implication is intended to the effect that foreclosure cases are necessarily easily handled, or provide little work for the court. Even in default cases, a conscientious district judge will carefully consider the service, the form and amount of the judgment, and the confirmation of sale, both for the protection of the absent defendants, and the regularity of the title to the land. And in not a few cases, the questions of priority of liens, redemption, etc., provide very knotty questions of law and fact. No judge who has considered cases like *McFall v. Ford* (133 Kan. 593) will say that foreclosures are easy work for the district courts.

But it must be recognized that the fact that in 1943 the foreclosure cases were only twenty-five percent of the number in 1939, does not mean that they will not return to the 1939 figure in 1945 or 1950 or 1955.

Divorce Cases. While it is commonly believed that divorce cases have multiplied during the war years, there is actually an increase of only ten percent from 1940 to 1943, and the 1943 figure is less than 1935 or 1939. These appear to be a constant factor in the work of the district courts. While often easy to handle on final hearing, they usually require interlocutory hearings on mo-

tions for temporary alimony, etc., and proceedings in contempt and for change in the custody and allowances for children often extend well into the next twenty years. Every district judge finds his work interrupted, almost from day to day, by anxious litigants who cannot understand that they should consult their own attorney rather than go directly to the judge.

Damage Suits. Both federal and state authorities report a commendable decline in highway accidents during the past two years—but these are largely due to rubber shortages, gasoline rationing and wartime speed regulations. These conditions will probably not survive the war, and it is regrettable but probable that the number of highway accidents will again increase with the full use of motor transportation. There is no basis for assuming that the decline in damage suits (or in jury trials resulting therefrom) will continue beyond the war period.

Probate Matters. It has often been suggested that the increase in jurisdiction of the probate courts, by the Probate Code of 1939, has caused a decline in the business of the district courts in matters arising out of estates and guardianships. This has been given as a reason for restoring to the district courts their original jurisdiction in certain probate matters.

The above statistics from the twelve selected counties do not support this view. The slight decrease in original cases to set aside or construe wills has been offset by a slight increase in probate appeals—neither of which ever constituted a very large part of the district court business. Proposals to restore district court jurisdiction in these matters should be considered on their merits, but not with a view to increasing the business of the district courts.

County Courts. County courts serve a useful purpose in many counties, but have little business in others. A simple procedure should be provided by which they could be abolished in counties where they are not needed. Serious consideration should also be given to limiting the jurisdiction of all county courts to that of justices of the peace. Cases involving more than \$300 might as well be filed originally in the district courts. If the case is in default, judgment can now be taken promptly in the district court of any county, since motion days are held once a month. If the case is contested, it can be better tried before a trained district judge, or by a jury under his supervision, and without an intermediate appeal and a second trial *de novo*.

Jury Trials. The decline in jury trials is partly due to the decline in number of damage suits mentioned above. It is partly due to the fact that prospective jurors have been extremely busy and the courts and lawyers have hesitated to ask that twelve men and women drop their usual business in wartime to decide any but the most important cases. But above all that, there is a distinct tendency toward fewer jury trials in proportion to the total number of cases, for the state as a whole. This suggests a constantly increasing confidence, on the part of the bar and the public, in the ability and integrity of our district judges.

But it should not be assumed that this means less work for the trial judges. On the contrary, the responsibility of deciding the facts as well as the law puts a greater burden on the trial court. He is relieved of the mechanical work of writing instructions, but is often required to perform the more difficult task of preparing findings of fact and conclusions of law. The money saved to the various counties, in cases where jury trial is waived, is no inconsiderable item.

Criminal Cases. No reliable conclusions can be drawn from the decline in

criminal cases without a complete study of the types of cases, felonies and misdemeanors, which make up the total number of cases filed and disposed of. It is hoped that this number will continue low, and that this war will not be followed by a "crime wave" requiring an increase in prosecutions for serious offenses. But if an increase should follow the war, the district courts must be available, and properly equipped, to try these cases.

This article is signed so that it may be understood that the opinions expressed are those of the writer and do not necessarily represent the views of other members of the Judicial Council.

GENERAL STATE COSTS OF COURTS

JAMES E. TAYLOR

In this day of astronomical governmental costs, one hears complaint that the Kansas Judicial System is expensive. It is not the purpose of this article to advocate or oppose increasing pay of Kansas judges, for that is a purely legislative matter and not within the duties of the Kansas Judicial Council. Rather the purpose is to disclose the actual figures to the taxpayers of Kansas as to the amounts of money appropriated for the upkeep of the Kansas Judiciary. What is the cost to the people of Kansas as a whole of the district courts and the stenographers, and the supreme court? These are the divisions paid directly by state appropriation out of state taxes.

The salaries of the judges and court reporters are fixed by statute; and as to the judges cannot be increased during the term for which they have been elected. (Const. Art. 3, Sec. 13.) Therefore the figures as shown will apply for at least the next two years, as no session of the legislature will be held prior to time of election in all probability.

It would not be possible to show the full costs to the taxpayers of Kansas of courts in Kansas, as that would involve figures from 105 counties, on the several classes of courts as paid for by local taxpayers through local taxation. Such expenses would include the salaries paid to probate, county, city judges, and to justices of the peace, clerks of such courts, and other incidental expenses to the operation of the same. Also in the calculations used, we have assumed all was paid by direct taxation, without giving any credit for fees and costs charged and collected in the several cases.

Also in making up the summary figures that appear in the tables, and used in the discussion, we have not taken into consideration the State Library and Library Commission appropriations as they cannot be strictly said to be costs of the district and supreme court, though the legislature makes appropriations for them as part of the same act.

State governmental business is operated on a fiscal year basis starting July 1st and ending the following June 30th. Hence the last actual figures available were those for the fiscal year 1943. The last population data was that of the assessors made in the spring of 1943 which disclosed the Kansas population to be 1,803,201. These being actual figures, we have used them to arrive at a per capita tax rather than those of the appropriations offered. However, we show as a separate table the totals appropriated as applicable for the fiscal year just starting.

Using the actual figures for the latest year available, it will be found that the per capita cost to the individuals of Kansas for the supreme court, including the justices, clerks, reporters, stenographers, and other incidental expense is four and one-third cents per person.

Using the same figures, the cost for the district judges including their traveling expenses will be approximately ten and two-thirds cents per capita.

The court reporters cost the people of Kansas almost seven cents each. This makes a total cost per person per year to sustain the judiciary by state taxation of approximately twenty-one cents each; this is less than two cents per month per person.

We believe that figures on costs of any governmental activity because of the size of same should be broken down so as to show the cost to each individual in at least months. It will be a figure which the citizen can understand much easier than the totals for a year. The judiciary costs in Kansas would appear to be very reasonable. While we do not have access to figures from other states we believe they will compare very favorably with them. It is a known fact that the salaries paid are lower than in many states for similar service, hence the over-all cost should be less per capita.

In order that the reader may also see what the monthly costs are as a whole, we show the figures for the months of March and April. The increase for certain employees in the supreme court is reflected in these figures. The legislature in 1943 increased certain pay to last during the time of the present war, and for six months after cessation of hostilities. These increases do not affect the justices as their salary, as stated before, has been fixed for their term for which elected. The salaries paid are uniform; there is some increase in expenses for April over March, but this is probably due to the fact that many of the judges and reporters wait until the end of a quarter to file their expenses, rather than on a monthly basis.

Comparison of appropriations by the legislature for a number of years back discloses that the appropriations for the judicial branch of the Kansas government have maintained a rather stable amount; and have been increased but little.

TABLE "I"—ACTUAL FIGURES ON KANSAS SUPREME COURT AND DISTRICT COURTS FOR FISCAL YEAR 1943

	(July 1, 1942, to June 30, 1943)	<i>Salaries</i>	<i>Expenses</i>
District judges		\$183,877.78	\$8,659.81
Stenographers of district court.....		118,881.28	3,621.69
SUPREME COURT			
Seven justices		\$42,000.00	
Seven law clerks and stenographers.....		12,915.00	
Reporter		3,000.00	
First assistant reporter.....		2,050.00	
Second assistant reporter.....		1,230.00	
Clerk		3,000.00	
Deputy clerk		2,460.00	
First assistant clerk.....		2,050.00	
Junior clerk—stenographer		1,845.00	
Law research clerk		1,936.67	
General Clerk and stenographer.....		1,537.50	
Two bailiffs		1,230.00	
Contingent and incidental office expense.....			3,053.37
Total supreme court		\$75,254.17	\$3,053.37
Grand totals		\$378,013.23	\$15,334.87
1943 Kansas population			1,803,201
Per capita cost for district judges and expenses.....			\$0.106775
Per capita cost for stenographers.....			\$0.067936
Per capita cost for supreme court.....			\$0.043426
Per capita supreme, district court and stenographers.....			\$0.2096345

(Figures by George Robb, Auditor of State).

TABLE "II"—APPROPRIATIONS FOR FISCAL YEAR
(July 1, 1944, to June 30, 1945)

District Judges—		
Forty-six judges at \$4,000 each.....		\$184,000.00
Traveling expenses		13,000.00
Totals		\$197,000.00
Stenographers, District Court—		
Forty-six stenographers at \$2,000 each.....		\$119,600.00
Traveling expenses		4,000.00
Totals		\$124,600.00
Supreme Court—		
Salary, seven judges at \$6,000 each.....		\$42,000.00
Reporter		3,000.00
Seven law clerks and stenographers.....		12,600.00
First assistant reporter		2,000.00
Second assistant reporter		1,200.00
Clerk supreme court		3,000.00
Deputy clerk, supreme court		2,400.00
First assistant clerk, supreme court.....		2,000.00
Journal clerk—stenographer		1,800.00
Two bailiffs		1,200.00
Incidental expenses		3,000.00
General clerk and stenographer		1,500.00
Law research clerk		2,100.00
Special contingent for habeas corpus proceedings prosecuting on poverty affidavits		3,000.00
Expenses for increased salaries and special compensation duration.....		3,800.00
Total		\$84,680.00
L. 1943, Ch. 15.		
L. 1943, Ch. 11, Items 12 and 19.		

TABLE "III"—SUMMARY OF MONTHLY JUDICIAL EXPENDITURES BY THE STATE OF KANSAS

	March, 1944	April, 1944
District judges—		
Salaries	\$15,333.18	\$15,333.18
Expenses	191.41	1,346.13
Stenographers, district courts	10,029.26	9,749.70
Stenographers, expenses	66.69	577.39
Supreme court salaries (all).....	6,527.49	6,527.49
Supreme court expenses	434.87	52.85

(Figures taken from report of state auditor as published in *Kansas Government Journal*.)

PROPOSED ACT RELATING TO COURTS

AN ACT relating to courts, prescribing their powers, duties, procedure and jurisdiction, and amending sections 59-301 and 59-2267 of the General Statutes Supplement of 1943 and repealing said original sections.

Be it enacted by the Legislature of the State of Kansas:

SECTION 1. Section 59-301 of the General Statutes Supplement of 1943 is hereby amended to read as follows: Sec. 59-301. The probate courts shall be courts of record, and, within their respective counties, shall have original jurisdiction:

- (1) To admit last wills and testaments to probate;
- (2) To grant and revoke letters testamentary and of administration;
- (3) To direct and control the official acts of executors and administrators, to settle their accounts, and to order the distribution of estates;
- (4) Of partnership estates as provided in this act;
- (5) To determine the heirs, devisees, and legatees of decedents;
- (6) To appoint and remove guardians for minors and incompetent persons, and to make all necessary orders relating to their estates, to direct and control the official acts of such guardians, and to settle their accounts;

- (7) To hear and determine cases of habeas corpus;
- (8) Of trusts and powers created by wills admitted to probate, and of trusts and powers created by written instruments other than by wills in favor of persons subject to guardianship; to appoint and remove trustees for such trusts, and to make all necessary orders relating to such trust estates, to direct and control the official acts of such trustees, and to settle their accounts; but this provision shall not affect the jurisdiction of district courts in such cases;
- (9) To appoint and remove trustees of estates of convicts imprisoned in the penitentiary under sentence of imprisonment for life, to make all necessary orders relating to their estates, to direct and control the official acts of such trustees, and to settle their accounts;
- (10) To hold inquests respecting insane persons, and to commit insane persons to hospitals for the insane, or elsewhere, for their care and treatment;
- (11) Such other jurisdiction as may be given them by statutes pertaining to particular subjects;
- (12) And they shall have and exercise such equitable powers as may be necessary and proper fully to hear and determine any matter properly before such courts;

Provided, That nothing contained in this section or the code of which this section is a part, nor the fact that the probate court is exercising jurisdiction of the estate of a decedent or ward shall be construed as impairing, diminishing or affecting the original concurrent jurisdiction conferred upon and granted to district courts by this act.

Sec. 2. The district courts of this state shall have original concurrent jurisdiction of actions against the estate of a decedent or ward and of actions against the fiduciary of the estate of a decedent or ward and of actions to contest a will.

Sec. 3. Any person having a demand against the estate of a decedent may, in an action against a representative of the estate, establish the same by the judgment or decree of the district court of the county in which the estate is being administered. A certified copy of which judgment shall be filed in the proper probate court within the time and manner prescribed by section 59-2238 of the General Statutes Supplement of 1943; that the commencement of any such action shall be within nine months after the date of the first published notice to creditors.

Sec. 4. The mode of contesting a will in the district court after probate shall be by civil action in the district of the county in which the will was admitted to probate, which action may be brought at any time within nine months after the date of the order admitting the will to probate, but not thereafter.

Sec. 5. The order of the probate court admitting a will to probate shall be prima facie evidence on the trial of any such original action to contest a will in the district court of the due attestation, execution and validity of the will.

Sec. 6. Upon the trial of any such original action in the district court to contest a will, a certified copy of the testimony of such of the witnesses ex-

amined upon the original probate as are out of the jurisdiction of the court, dead, or have become incompetent since the probate, shall be admitted in evidence.

SEC. 7. Any person having a demand against the estate of a ward may, in an action against the representative of the estate, establish the same by the judgment or decree of the district court of the county in which the estate is being administered, and file a certified copy of such judgment or decree in the probate court and procure an order for its payment.

SEC. 8. Section 59-2267 of the General Statutes Supplement of 1943 is hereby amended to read as follows: Sec. 59-2267. Any person having a demand, other than tort, against the estate of a ward, or against his guardian as such may present it to the probate court for determination, and upon proof thereof procure an order for its allowance and payment: *Provided, That nothing contained in this action, or the code of which it is a part, nor the fact that the probate court is exercising jurisdiction of the estate of a ward, shall be construed as impairing, diminishing or affecting the original concurrent jurisdiction conferred upon and granted the district courts by this act.*

SEC. 9. This act shall apply to any action or proceeding pending at the time this act takes effect.

SEC. 10. Sections 59-301 and 59-2267 of the General Statutes Supplement of 1943 are hereby repealed.

PROPOSED ACT RELATING TO PROCEDURE IN PROBATE COURT

AN ACT relating to procedure in the probate court.

Be it enacted by the Legislature of the State of Kansas:

SECTION 1. When a petition shall be filed in the probate court (1) to admit a will to probate; (2) to determine venue or a transfer of venue; (3) to allow any claim exceeding \$50; (4) for the sale, lease, or mortgage of real estate; (5) for conveyance of real estate under contract; (6) for payment of a legacy or distributive share; (7) for partial or final distribution; (8) for an order compelling a legatee or distributee to refund; (9) for an order to determine heirs or legatees, or (10) for an order which involves construction of a will or other instrument; any interested party may request the transfer of such matter to the district court. When a request for such transfer is filed less than three days prior to the commencement of the hearing, the court shall assess the costs occasioned by the subpoena and attendance of witnesses against the party seeking the transfer. Such request may be included in any petition, answer, or other pleading, or may be filed as a separate petition, and shall include an allegation that a bona fide controversy exists and that the transfer is not sought for the purpose of vexation and delay. Notice of such request shall be given as ordered by the probate court.

SEC. 2. Upon the filing of such request the probate court shall deliver to the district court the file in the matter, or so much thereof as may be necessary for a determination of the issues raised. Such issues shall thereupon be heard

and determined in the district court as an appeal from the probate court. A transcript of the proceedings and judgment of the district court shall be certified to the probate court as in other appeals, and the probate court shall proceed in accordance therewith. No further appeal upon such issue shall be had to the district court.

SEC. 3. Appeal to the supreme court from judgments and orders of the district court made pursuant to this section may be taken as provided for appeals in other cases.

LETTER ON APPROPRIATIONS FOR JUDICIAL COUNCIL

Russell, Kan., May 12, 1944.

The Judicial Council,
Topeka, Kansas.

GENTLEMEN—I am sufficiently familiar with the object and work of the Judicial Council to suggest consideration of the state's provision for and support of agencies directed toward wise legislation for the general welfare.

Appropriations; Judicial Council organized 1927:

In 1927, for year ending June 30, 1928,	\$1,000.	
year ending June 30, 1929,	\$1,000.	Deficiency to end of 1929 \$1,500.
year ending June 30, 1930,	none	none
year ending June 30, 1931 (Act 1932)	\$2,500.	deficiency to end of 1931 \$1,500).
year ending June 30, 1932,	\$2,500.	
year ending June 30, 1933,	2,500.	
year ending June 30, 1934,	2,000.	
year ending June 30, 1935,	2,000.	
year ending June 30, 1936,	2,000.	
year ending June 30, 1937,	2,000.	
year ending June 30, 1938,	3,000.	
year ending June 30, 1939,	3,300.	
year ending June 30, 1940,	2,500.	
year ending June 30, 1941,	2,500.	
year ending June 30, 1942,	2,750.	
year ending June 30, 1943,	2,750.	
year ending June 30, 1944,	2,750.	
year ending June 30, 1945,	2,750.	

Appropriations: Legislative Council, organized 1933:

1933 general appropriation,	\$10,000.	
1935 to end of 1936, bal. to '37,	10,000.	
1937 to end June 30, 1938,	20,000.	
same 1939,	20,000.	Extra also for 1939-'49, \$12,500.
1939 to end 1940,	7,500.	for research, \$25,000.
1939 1941,	7,500.	for research, 25,000.
1939		special, 10,000.
1941 1942,	7,500.	Research, 25,000.
1943,	7,500.	Research, 25,000.
1943 1944,	7,500.	Research, 25,000.
1945,	7,500.	Research, 25,000.
Total appropriations for Judicial Council 1927-1945, \$40,000.		
Total appropriations for Legislative Council 1933-1945, \$277,500.		

The good work done by the Judicial Council, and the speed at which done could have been much increased had appropriations been a little larger.

The great amount of statistical data gathered by the Judicial Council could have been usefully analyzed with more means for such purpose.

J. C. RUPPENTHAL.

REVISED ALPHABETICAL LIST OF KANSAS LAWYERS IN THE MILITARY OR NAVAL SERVICE OF THE UNITED STATES

Waldo Aikins, Osawkie	Harry P. Betzer, Topeka
§Harry Akers, Coffeyville	Charles Eugene Beven, Muscotah
Bernhard W. Alden, Kansas City	Walter I. Biddle, Leavenworth
John R. Alden, Hutchinson	C. E. Birney, Hill City
E. Lael Alkire, Wichita	L. Perry Bishop, Paola
Greever Allen, Tonganoxie	A. C. Blakeley, Wichita
Richard F. Allen, Topeka	Everett B. Blakeley, Fort Scott
George L. Allred, Emporia	Lloyd Cecil Bloomer, Osborne
Vincent C. Allred, Leavenworth	Francis F. Blundon, Salina
Roger P. Almond, Wichita	*Benjamin A. Boeh, Atchison
Alfred J. Anderson, Iola	Harlin E. Bond, Wichita
Brainard L. Anderson, Kinsley	Cornelius H. Boone, Leavenworth
John Chris Anderson, Tescott	William S. Bowers, Ottawa
*Hugh Gordon Angwin, Pittsburg	Charles A. Bowman, Kansas City
Frederick G. Apt, Iola	Robert G. Braden, Wichita
††Harold A. Arnold, Chapman	Charles W. Bradshaw, Topeka
Edward F. Arn, Wichita	Buford E. Braly, Kansas City
Edward Tennis Arnsbarger, Larned	John K. Brandon, McPherson
V. Earl Artley, Russell Springs	Charles W. Brenneisen, Jr., Kan. City
Alan F. Asher, Lawrence	John W. Breyfogle, Jr., Olathe
Leon L. Askren, Atchison	Raymond Briman, Topeka
Paul L. Aylward, Ellsworth	John Wilbur Brookens, Westmoreland
	F. Quinton Brown, Topeka
Everett Baker, Lyons	Joseph Hayden Brown, Wichita
Guy W. Baker, Ozawkie	Lelus B. Brown, Newton
William A. Baker, Kansas City	Washington H. Brown, Kansas City
Joe F. Balch, Erie	Wesley E. Brown, Hutchinson
Frank L. Barbee, Salina	Richard H. Browne, Burdette
Richard A. Barber, Lawrence	Hugh E. Brownfield, Kansas City
Charles Robinson Barr, Kinkaid	Mack Bryant, Wichita
Brewster Bartlett, Mission	John E. Buehler, Atchison
Charles A. Bauer, Jr., Fredonia	William J. Burns, Independence
§Kenneth R. Baxter, Marysville	Robert H. Burtis, Garden City
E. Keith Beard, Meade	Curtis Andrew Burton, Topeka
Marion Beatty, Topeka	Mitchell H. Bushey, Iola
*George F. Beezley, Girard	Henry L. Butler, Wichita
Oscar F. Belin, Wichita	Thomas J. Butler, Jr., Herington
Mark L. Bennett, Topeka	William F. Butters, Topeka
Raymond Belt, Coffeyville	Philip Buzick, Topeka
E. A. Benson, Jr., Kansas City	
George S. Benson, Jr., El Dorado	W. N. Calkins, El Dorado
John I. Berglund, Jr., Clay Center	Max A. Campbell, Grinnell

* Honorably discharged.

§ Killed in action.

†† In Japanese war prison.

W. B. P. Carey, Hutchinson
 Wallace Carpenter, Independence
 Clay C. Carper, Eureka
 Raymond H. Carr, Kansas City
 David W. Carson, Kansas City
 Knowlton E. Carson, Kansas City
 Clare C. Casey, Topeka
 Charles M. Cassel, Pittsburg
 W. Luke Chapin, Wichita
 Harold H. Chase, Salina
 Lawrence E. Christenson, Winfield
 Bert E. Church, Wellington
 O. Q. Claffin III, Edwardsville
 Charles C. Clark, Topeka
 C. L. Clark, Salina
 Francis M. Clark, Topeka
 Arthur L. Claussen, Topeka
 *Roy W. Cliborn, Marysville
 Raymond L. Cobean, Pratt
 Harry T. Coffman, Lyndon
 James E. Collingwood, Topeka
 J. D. Conderman, Moran
 O. J. Connell, Jr., El Dorado
 Fred L. Conner, Great Bend
 Eugene Coombs, Wichita
 Robert K. Corkhill, Topeka
 Dale H. Corley, Garden City
 Wayne Coulson, Wichita
 Clyde P. Cowgill, Topeka
 ‡George Crane, Topeka
 Claude S. Cravens, Jr., Topeka
 Martin C. Crown, Kansas City
 Glenn T. Crossan, Independence
 John David Crouch, Everest
 Rex Lawrence Culley, Mullinville
 Lawrence Cunningham, Kansas City
 William E. Cunningham,
 Arkansas City
 Leaford F. Cushenbery,
 Medicine Lodge
 Frank E. Daily, Jr., Coldwater
 *Henry D. Dangerfield, Topeka
 Charles LeRoy Davis, Jr., Topeka
 Charles W. Davis, Jr., Topeka
 Hal C. Davis, Topeka
 Russell E. Davis, Topeka

Thomas Homer Davis, Leavenworth
 Worden A. Davis, Garnett
 John K. Dear, Kansas City
 Charles Lowman Decker, Oskaloosa
 George Edward Denning, Elkhart
 Harry S. Deutch, Kansas City
 Max L. Dice, Johnson
 Jacob A. Dickinson, Topeka
 F. H. Dillenback, Troy
 Harold E. Doherty, Topeka
 George W. Donaldson, Chanute
 Paul J. Donaldson, Wichita
 Adin Montgomery Downer,
 Dodge City
 A. H. Drebing, Topeka
 Grey Dresie, Wichita
 Richard Michael Driscoll, Russell
 Frank F. Eckdall, Emporia
 William S. Eddy, Marysville
 J. Raymond Eggleston,
 Medicine Lodge
 Hubert Else, Topeka
 Fred Emery, Belleville
 Perry A. Ennis, Topeka
 Frank P. Eresch, Topeka
 W. Jay Esco, Wichita
 *Louis H. Eversole, Topeka
 Clem William Fairchild, Lawrence
 John M. Farley, Hutchinson
 Harold Ralph Fatzner, Kinsley
 Alva L. Fenn, Hutchinson
 *Robert M. Finley, Hiawatha
 David H. Fisher, Topeka
 Charles H. Fleming, Scott City
 Clark M. Fleming, Erie
 Theodore M. Flick, Kingman
 Clayton S. Flood, Hays
 John Fontron, Jr., Hutchinson
 Frank T. Forbes, Eureka
 Harold G. Forbes, Eureka
 Leighton A. Fossey, Mound City
 §John C. Foulks, Atchison
 Sidney L. Foulston, Wichita
 Erle W. Francis, Topeka
 John C. Frank, Wichita

* Honorably discharged.
 ‡ Missing in action.
 § Killed in action.

Perle C. Frazee, Syracuse
Richard R. Funk, Topeka

Jo E. Gaitskill, Girard
Wendell B. Garlinghouse, Topeka
Virgil Garrett, Burlington
Henry Morris Garvin, St. John
Alfred Watson Geiger, Newton
John H. Gerety, Wichita
Harold Gibson, Lyons
Ralph E. Gilchrist, Wichita
Robert J. Gilliland, Hutchinson
R. Douglas Gleason, Mound City
Champ A. Graham, Wellsville
Frank R. Gray, Lawrence
William A. Gray, Topeka
John Shelley Graybill, Topeka
Karl K. Grotheer, Pittsburg

Gail Haddock, Minneapolis
Arthur P. Hagen, Great Bend
Martin S. Hall, Anthony
Max D. Hall, Anthony
Neil Hambleton, De Soto
Max L. Hamilton, Beloit
Tudor W. Hampton, Great Bend
Delmas Haney, Hays
Justin D. Hannen, Burlington
Ford E. Harbaugh, Wellington
Harold H. Harding, Kansas City
David Jerome Harmon, Columbus
Innis D. Harris, Wichita
Andrew Stone Hartnett, Stafford
†Paul L. Harvey, Topeka
Harley Haskin, Olathe
Lew Hasty, Wichita
Harold M. Hauser, Marion
Doral H. Hawks, Topeka
C. E. Heilman, El Dorado
Charles Heizer, Osage City
Robert E. Hendrickson, Moline
Charles E. Henshall, Osborne
Harold S. Herd, Coldwater
Bernard A. Herken, Leavenworth
John A. Herlocker, Winfield
Donald Hickman, Arkansas City
Donald Higby, Kansas City

Everett S. Higgins, Wichita
Morris D. Hildreth, Coffeyville
Clyde Hill, Yates Center
Delmas C. Hill, Wamego
Herbert Hobble, Jr., Medicine Lodge
Kenneth L. Hodge, McPherson
Murray H. Hodges, Olathe
Arthur Hodgson, Lyons
Elmer Hoge, Overland Park
*Clarence Holeman, Mullinville
Robert M. Holford, Hutchinson
Elmer Holm, Topeka
Edwin J. Holman, Leavenworth
Enos E. Hook, Wichita
Charles L. Hoover, Junction City
Charles W. Hoover, Olathe
James R. Hoover, Olathe
Carl H. Houseworth, Harveyville
Wilfred Clark Howerton, Garnett
Earl R. Hubbard, Herington
James C. Hubbard, Jr., Horton
Maurice R. Hubard, Olathe
James A. Hudelson, Jr., Ottawa
Robert H. Hudkins, Emporia
Harold Hughes, Manhattan
Donald S. Hulst, Lawrence
John H. Hunt, Topeka
J. Richards Hunter, Hutchinson
Ted H. Hurtt, Hutchinson
William S. Hyatt, Jr., Kansas City
H. N. Hyland, Washington
Hal Hyler, Parsons

Fred C. Ice, Newton
Howard N. Immell, Topeka
Chester C. Ingels, Hiawatha
Freeman B. Irby, Topeka
Harold Irwin, Wichita
Robert R. Irwin, Topeka

Balfour S. Jeffrey, Topeka
Robert Lee Jesse, Centralia
Roy H. Johnson, Topeka
Maxwell L. Jones, Goodland
Richard Owen Jones, Wichita
Robert R. Jones, Topeka
Robert Y. Jones, Lyons

* Honorably discharged.

† Died after having been honorably discharged.

Orin C. Jordan, Beloit
J. Paul Jorgenson, Wichita

William C. Kandt, Great Bend
William C. Karnazes, Kansas City
John F. Kaster, Topeka
Robert Homer Kaul, Wamego
George L. Keller, Pratt
Basil W. Kelsey, Ottawa
W. W. Kennedy, Pittsburg
William Roy Kirby, Coffeyville
Floyd L. Kirkman, Russell
William B. Kirkpatrick, Topeka
*Walter G. Klamm, Kansas City
*Howard C. Kline, Wichita
Gerald E. Kolterman, Wamego
Gale E. Krouse, Onaga
Jay Kyle, Topeka

Reginald La Bunker, Topeka
Paul A. Lackie, McPherson
Paul A. Lamb, Caney
Maurice Lampl, Wichita
Daniel O. Lardner, Fort Scott
George R. Lehmborg, McPherson
Cyrus Leland, Troy
Wilbur G. Leonard, Council Grove
James S. Lester, Oskaloosa
Phil H. Lewis, Topeka
Jake L. Liberman, Caney
Frank W. Liebert, Coffeyville
*Auburn G. Light, Liberal
Sol Lindenbaum, El Dorado
J. C. Linge, Topeka
C. C. Linley, Cimarron
Donald C. Little, Kansas City
Herbert L. Lodge, Olathe
Lyle Loomis, Topeka
Frantz G. Loriaux, Augusta
Wayne Daniel Loughridge, Garnett
J. W. Lowry, Atchison
Leon W. Lundblade, Beloit
W. R. Lutz, Smith Center
*Thomas C. Lysaught, Kansas City

Donald J. Magaw, Osborne
Mason Mahin, Smith Center

Clarence Malone, Topeka
Ernest J. Malone, Hays
Fred A. Mann, Topeka
Ben Marshall, Jr., Lincoln
Don E. Martin, Kansas City
Ward D. Martin, Topeka
Morris E. Matuschka, Pittsburg
Stuart T. McAlister, Parsons
Patrick Bevan McAnany, Kansas City
John C. McCall, Chanute
*Forest V. McCalley, Wichita
Charles McCamish, Kansas City
James A. McClain, Sabetha
Ora D. McClellan, Neodesha
Charles F. McClintock, Wichita
Ray McCombs, Ness City
Charles Frederick McCoy, Topeka
John Edward McCullough, Topeka
James Martin McDermott, Winfield
Joseph H. McDowell, Kansas City
V. M. McElroy, Greensburg
Frank H. McFarland, Topeka
Harold McGugin, Coffeyville
Thomas McGuire, Medicine Lodge
Dean McIntyre, Abilene
Clark H. McPherson, Topeka
Willis H. McQueary, Osawatomie
Laurence McVey, Independence
Lee R. Meador, Wichita
Frank H. Meek, Clay Center
Samuel Mellinger, Emporia
Charles Menghini, Pittsburg
Robert Merrick, Topeka
Aldeverd Metcalf, Oberlin
Conrad Miller, Kansas City
Harry E. Miller, Hiawatha
Harry G. Miller, Jr., Kansas City
John C. Miller, Coffeyville
Lloyd S. Miller, Kansas City
Robert G. Miller, Pratt
Robert Haskins Miller, Lawrence
Wilton D. Miller, Belleville
W. C. Millikin, Salina
Evert Mills, McPherson
Leo W. Mills, Yates Center
William M. Mills, Jr., Topeka
Stanley C. Miner, Ness City

* Honorably discharged.

Donald I. Mitchell, Wichita
 R. Lee Montre, Topeka
 C. A. Morgan, Newton
 Woodrow B. Morris, Kingman
 John H. Morse, Mound City
 Robert B. Morton, Wichita
 Kenneth B. Moses, Lawrence
 Gale Moss, El Dorado
 *William G. Muir, Anthony
 Ralph Mullin, Olathe
 John H. Murray, Leavenworth

Tudor M. Nellor, Kansas City
 Rex Neubauer, Topeka
 Bert E. Newland, Ottawa
 Robert I. Nicholson, Paola
 Joe Nickell, Topeka
 Melvin O. Nuss, Great Bend

John F. O'Brien, Independence
 Keefe O'Keefe, Leavenworth
 Ralph W. Oman, Topeka
 Robert E. O'Neil, Axtell
 Robert Kenneth Osborn, Stockton
 Perry L. Owsley, Pittsburg
 Robert B. Oylar, Lawrence

Joseph Scott Payne, Kansas City
 Olin K. Petefish, Lawrence
 Bernard Peterson, Newton
 Robert A. Peterson, Topeka
 Donald D. Phillips, Colby
 Willard L. Phillips, Kansas City
 William F. Pielsticker, Wichita
 Joseph L. Pierce, Pittsburg
 Harry L. Porter, Columbus
 James W. Porter, Topeka
 James Postma, Lawrence
 David Prager, Fort Scott
 Samuel Kishler Prager, Fort Scott
 Harlow Preston, Topeka
 Robert T. Price, Topeka
 Leland J. Propp, Hutchinson
 Richard Marcel Pugh, Enterprise
 G. K. Purves, Jr., Wichita
 James W. Putnam, Emporia

Hugh Patrick Quinn, Salina

Ralph R. Rader, Howard
 George E. Ramskill, Burlingame
 Charles C. Rankin, Lawrence
 Charles E. Rauh, Hutchinson
 William L. Rees, Topeka
 *Max W. Regier, Newton
 William D. Reilly, Leavenworth
 *Oscar Renn, Arkansas City
 Glendon Earl Rewerts, Leoti
 James H. Rexroad, Hutchinson
 J. R. Rhoades, McPherson
 John J. Rhodes, Council Grove
 Claude Rice, Kansas City
 Frank G. Richard, Jr., Topeka
 *Lawrence J. Richardson, Topeka
 Leland W. Richardson, Topeka
 Lewis Richardson, Topeka
 C. Eugene Ricketts, Paola
 James V. Riddell, Wichita
 Wilford R. Riegle, Emporia
 Kurt Riesen, Wichita
 Oliver D. Rinehart, Paola
 Robert B. Ritchie, Wichita
 Jeff A. Robertson, Kansas City
 Frank W. Robieson, Winfield
 ‡Clarence J. Robinson, Newton
 G. I. Robinson, Jr., Ellinwood
 Max Dale Robinson, Emporia
 Kenneth P. Rockhill, Eureka
 Ralph A. Rodgers, Lincoln
 Roy L. Rogers, Wichita
 Victor J. Rogers, Wichita
 D. V. Romine, Abilene
 Charles Rooney, Topeka
 Edward Rooney, Jr., Topeka
 Fred Rooney, Topeka
 Karl W. Root, Atchison
 V. J. Rosecrans, Winfield
 Harry W. Royer, Fort Scott
 John Eric Royston, Kansas City
 John M. Rugh, Abilene
 Kenneth D. Rupp, Moundridge
 L. H. Ruppenthal, McPherson
 **Lucien B. Rutherford, Leavenworth
 *Wayne W. Ryan, Clay Center

Donald G. Sands, Holton
 Jack Savage, Winfield

* Honorably discharged.

‡ Missing in action.

** Retired.

- Keene Saxon, Topeka
 Robert A. Schermerhorn,
 Junction City
 Paul Schmidt, Wichita
 Lew Schmucker, Emporia
 Charles S. Schneider, Kansas City
 Alfred G. Schroeder, Newton
 Edward C. Schroeter, Concordia
 Ray S. Schulz, Great Bend
 David H. Scott, Lawrence
 Elisha Scott, Jr., Topeka
 Hugh C. Scott, Kansas City
 James M. Scott, Kansas City
 Olin B. Scott, Winfield
 William E. Scott, Kansas City
 Jay W. Scovel, Independence
 Keith George Sebelius, Almena
 John Seitz, Kansas City
 Thomas Fletcher Seymour, Winfield
 William M. Shaffer, Frankfort
 John E. Shamberg, Hutchinson
 Dale E. Shannon, Powhattan
 Douglas Sharp, Kansas City
 Willis A. Shattuck, Cimarron
 Richard W. Shaw, Hiawatha
 Warren W. Shaw, Topeka
 Karl W. Shawyer, Jr.; Paola
 J. R. Sheedy, Fredonia
 Harold Dean Shrader, Holton
 Garner E. Shriver, Wichita
 J. Logan Shuss, Parsons
 Lawrence Martin Sigmund, Netawaka
 Clem H. Silvers, El Dorado
 Thomas Clyde Singer, Lawrence
 Herbert H. Sizemore, Newton
 Arthur W. Skaer, Wichita
 Ernest B. Skinner, Junction City
 Alan R. Sleeper, Jr., Iola
 Eldon R. Sloan, Topeka
 Carl T. Smith, Wichita
 George Rockwell Smith, Pratt
 Gerald Francis Smith, Manhattan
 Harrison Smith, Atchison
 Herman W. Smith, Jr., Parsons
 James E. Smith, Topeka
 J. Wentworth Smith, Kansas City
 Wint Smith, Salina
 James N. Snyder, Leavenworth
- *Claude Sowers, Wichita
 Arthur L. Sparks, Hutchinson
 Derald M. Sparks, St. Marys
 Kenneth G. Speir, Newton
 Corwin C. Spencer, Oakley
 James E. Sperling, Stafford
 Harris Squire, Topeka
 Maurice Stack, Topeka
 George Stallwitz, Wichita
 Lee Stanford, Concordia
 Arthur J. Stanley, Jr., Kansas City
 Myron S. Steere, Pratt
 Walt A. Steiger, Topeka
 Frank Steinkirchner, Wichita
 Paul C. Steinrauf, Topeka
 Paul W. Stephens, Neodesha
 Russell L. Stephens, Kansas City
 Edward Stevens, Topeka
 J. Claire Stevens, Hutchinson
 Charles H. Stewart, Kingman
 Donald W. Stewart, Independence
 J. Rodney Stone, Newton
 John Frederick Stoskopf, Jr.,
 Hoisington
 Charles D. Stough, Lawrence
 Russell L. Strobel, Larned
 Vernon A. Stroberg, Newton
 Walter G. Stumbo, Topeka
 Wallace C. Sullivan, Phillipsburg
 *Richard A. Swallow, Oskaloosa
 Earl B. Swarner, Kansas City
 Leo A. Swoboda, Kansas City
- James H. Taggart, Wellington
 Robert Y. Taliaferro, Jr., El Dorado
 James S. Terrill, Syracuse
 Wilbert F. Thompson, Topeka
 *W. K. Thompson, Topeka
 William P. Thompson, McPherson
 Prentice A. Townsend, Atchison
 B. F. Tracy, Emporia
 William Eugene Treadway, Topeka
 Arthur N. Turner, Topeka
- Bertram Joseph Vance, Garden City
 Thomas M. Van Cleave, Jr.,
 Kansas City
 C. Leaman Vancura, Ellsworth

* Honorably discharged.

Theo. F. Varner, Independence
 William Lee Vaughan, Jr.,
 Kansas City
 William H. Vernon, Jr., Hutchinson
 Ernest M. Vieux, Greensburg
 Fred R. Vieux, Augusta
 Lloyd H. Vieux, Atwood
 *Darrel Hedges Vinette, Howard

Cyrus Wade, Jr., Independence
 Kenneth Wagner, Wakeeney
 William H. Wagner, Jr., Wakeeney
 Edward Wahl, Lyons
 D. Arthur Walker, Arkansas City
 John E. Walker, Wichita
 John M. Wall, Sedan
 James W. Wallace, Mound City
 Charles W. Ward, Peabody
 Guy E. Ward, Belleville
 William R. Ward, Wichita
 George Leroy Warner, Jr., Wichita
 Charles Warren, Fort Scott
 Fred F. Wasinger, Hays
 D. E. Watson, Salina
 Harold A. Wayman, Coffeyville
 Jack F. Wayman, Pittsburg
 Richard G. Weaver, Concordia
 Vernon Weber, La Crosse
 Orlin A. Weede, (Johnson Co.),
 Kansas City, Mo.
 John C. Weeks, Topeka
 Abraham Weinlood, Hutchinson

Richard C. Wells, Manhattan
 Walton K. Weltmer, Hiawatha
 William J. Wertz, Wichita
 *Orin M. Wheat, Medicine Lodge
 Arthur B. White, Clay Center
 Paul H. White, Wichita
 Paul L. Wilbert, Pittsburg
 Ernest Edward Wiles, Macksville
 Kenneth Wilke, Topeka
 L. A. Willett, Beloit
 Charles F. Williams, Kansas City
 James A. Williams, Dodge City
 John M. Williams, Topeka
 Tyrus R. Williams, Columbus
 Blake A. Williamson, Kansas City
 E. Victor Wilson, Hutchinson
 J. Herb Wilson, Salina
 Jerome K. Wilson, Kinsley
 Paul E. Wilson, Ashland
 Arno Windscheffel, Smith Center
 George O. Wise, Newton
 Frederick Woleslagel, Lyons
 W. R. Womer, Manhattan
 Earle N. Wright, Arkansas City

Ernest A. Yarnevich, Kansas City
 *William Harold Young, Salina

Milton Zacharias, Wichita
 Carl E. Ziegler, Coffeyville
 Eugene P. Zuspahn, Goodland

* Honorably discharged.

REVISED LIST OF KANSAS LAWYERS IN THE MILITARY OR
NAVAL SERVICE OF THE UNITED STATES

(BY COUNTIES)

ALLEN COUNTY

Alfred J. Anderson, Iola
Frederick G. Apt, Iola
Charles Robinson Barr, Kinkaid
Mitchell H. Bushey, Iola
J. D. Conderman, Moran
Allen R. Sleeper, Jr., Iola

ANDERSON COUNTY

Worden A. Davis, Garnett
Wilfred Clark Howerton, Garnett
Wayne Daniel Loughridge, Garnett

ATCHISON COUNTY

Leon L. Askren, Atchison
Charles Eugene Beven, Muscotah
*Benjamin A. Boeh, Atchison
John E. Buehler, Atchison
§John C. Foulks, Atchison
J. W. Lowry, Atchison
Karl W. Root, Atchison
Harrison Smith, Atchison
Prentice A. Townsend, Atchison

BARBER COUNTY

Leaford F. Cushenbery,
Medicine Lodge
J. Raymond Eggleston,
Medicine Lodge
Herbert Hobbie, Jr., Medicine Lodge
Thomas McGuire, Medicine Lodge
*Orin M. Wheat, Medicine Lodge

BARTON COUNTY

Fred L. Conner, Great Bend
Arthur P. Hagen, Great Bend
Tudor W. Hampton, Great Bend
William C. Kandt, Great Bend
Melvin O. Nuss, Great Bend
G. I. Robinson, Jr., Ellinwood
Ray S. Schulz, Great Bend
John Frederick Stoskopf, Jr.,
Hoisington

BOURBON COUNTY

Everett B. Blakeley, Fort Scott
Daniel O. Lardner, Fort Scott
David Prager, Fort Scott
Samuel Kishler Prager, Fort Scott
Harry W. Royer, Fort Scott
Charles Warren, Fort Scott

BROWN COUNTY

John David Crouch, Everest
*Robert M. Finley, Hiawatha
James C. Hubbard, Jr., Horton
Chester C. Ingels, Hiawatha
Harry E. Miller, Hiawatha
Dale E. Shannon, Powhattan
Richard W. Shaw, Hiawatha
Walton K. Weltmer, Hiawatha

BUTLER COUNTY

George S. Benson, Jr., El Dorado
W. N. Calkins, El Dorado
O. J. Connell, Jr., El Dorado
C. E. Heilman, El Dorado
Sol Lindenbaum, El Dorado
Frantz G. Loriaux, Augusta
Gale Moss, El Dorado
Clem H. Silvers, El Dorado
Robert Y. Taliaferro, Jr., El Dorado
Fred R. Vieux, Augusta

CHAUTAUQUA COUNTY

John M. Wall, Sedan

CHEROKEE COUNTY

David Jerome Harman, Columbus
Harry L. Porter, Columbus
Tyrus R. Williams, Columbus

CLARK COUNTY

Paul E. Wilson, Ashland

* Honorably discharged.

§ Killed in action.

CLAY COUNTY

John I. Berglund, Jr., Clay Center
 Frank H. Meek, Clay Center
 *Wayne W. Ryan, Clay Center
 Arthur B. White, Clay Center

CLOUD COUNTY

Edward C. Schroeter, Concordia
 Lee Stanford, Concordia
 Richard G. Weaver, Concordia

COFFEY COUNTY

Virgil Garrett, Burlington
 Justin D. Hannen, Burlington

COMANCHE COUNTY

Frank E. Daily, Jr., Coldwater
 Harold S. Herd, Coldwater

COWLEY COUNTY

Lawrence E. Christenson, Winfield
 William E. Cunningham,
 Arkansas City
 John A. Herlocker, Winfield
 Donald Hickman, Arkansas City
 James Martin McDermott, Winfield
 *Oscar Renn, Arkansas City
 Frank W. Robieson, Winfield
 V. J. Rosecrans, Winfield
 Jack Savage, Winfield
 Olin B. Scott, Winfield
 Thomas Fletcher Seymour, Winfield
 D. Arthur Walker, Arkansas City
 Earle N. Wright, Arkansas City

CRAWFORD COUNTY

*Hugh Gordon Angwin, Pittsburg
 *George F. Beezley, Girard
 Charles M. Cassel, Pittsburg
 Jo E. Gaitskill, Girard
 Karl K. Grotheer, Pittsburg
 W. W. Kennedy, Pittsburg
 Morris E. Matuschka, Pittsburg
 Charles Menghini, Pittsburg
 Perry L. Owsley, Pittsburg
 Joseph L. Pierce, Pittsburg
 Jack F. Wayman, Pittsburg
 Paul L. Wilbert, Pittsburg

DECATUR COUNTY

Aldeverd Metcalf, Oberlin

DICKINSON COUNTY

††Harold A. Arnold, Chapman
 Thomas J. Butler, Jr., Herington
 Earl R. Hubbard, Herington
 Dean McIntyre, Abilene
 Richard Marcel Pugh, Enterprise
 D. V. Romine, Abilene
 John M. Rugh, Abilene

DONIPHAN COUNTY

F. H. Dillenback, Troy
 Cyrus Leland, Troy

DOUGLAS COUNTY

Alan F. Asher, Lawrence
 Richard A. Barber, Lawrence
 Clem William Fairchild, Lawrence
 Frank R. Gray, Lawrence
 Donald S. Hulst, Lawrence
 Robert Haskins Miller, Lawrence
 Kenneth B. Moses, Lawrence
 Robert B. Oyler, Lawrence
 Olin K. Petefish, Lawrence
 James Postma, Lawrence
 Charles C. Rankin, Lawrence
 David H. Scott, Lawrence
 Thomas Clyde Singer, Lawrence
 Charles D. Stough, Lawrence

EDWARDS COUNTY

Brainard L. Anderson, Kinsley
 Harold Ralph Fatzer, Kinsley
 Jerome K. Wilson, Kinsley

ELK COUNTY

Robert E. Hendrickson, Moline
 Ralph R. Rader, Howard
 *Darrell Hedges Vinette, Howard

ELLIS COUNTY

Clayton S. Flood, Hays
 Delmas Haney, Hays
 Ernest J. Malone, Hays
 Fred F. Wasinger, Hays

* Honorably discharged.
 †† In Japanese War Prison.

ELLSWORTH COUNTY

Paul L. Aylward, Ellsworth
C. Leaman Vancura, Ellsworth

FINNEY COUNTY

Robert H. Burtis, Garden City
Dale H. Corley, Garden City
Bertram Joseph Vance, Garden City

FORD COUNTY

Aden Montgomery Downer,
Dodge City
James A. Williams, Dodge City

FRANKLIN COUNTY

William S. Bowers, Ottawa
Champ A. Graham, Wellsville
James A. Hudelson, Jr., Ottawa
Basil W. Kelsey, Ottawa
Bert E. Newland, Ottawa

GEARY COUNTY

Charles L. Hoover, Junction City
Robert A. Schermerhorn,
Junction City
Ernest B. Skinner, Junction City

GOVE COUNTY

Max A. Campbell, Grinnell

GRAHAM COUNTY

C. E. Birney, Hill City

GRAY COUNTY

C. C. Linley, Cimarron
Willis A. Shattuck, Cimarron

GREENWOOD COUNTY

Clay C. Carper, Eureka
Frank T. Forbes, Eureka
Harold G. Forbes, Eureka
Kenneth P. Rockhill, Eureka

HAMILTON COUNTY

Perle C. Frazee, Syracuse
James S. Terrill, Syracuse

HARPER COUNTY

Martin S. Hall, Anthony
Max D. Hall, Anthony
*William G. Muir, Anthony

HARVEY COUNTY

Lelus B. Brown, Newton
Alfred Watson Geiger, Newton
Fred C. Ice, Newton
C. A. Morgan, Newton
Bernard Peterson, Newton
*Max W. Regier, Newton
‡Clarence J. Robinson, Newton
Alfred G. Schroeder, Newton
Herbert H. Sizemore, Newton
Kenneth G. Speir, Newton
J. Rodney Stone, Newton
Vernon A. Stroberg, Newton
George O. Wise, Newton

JACKSON COUNTY

Donald G. Sands, Holton
Harold Dean Shrader, Holton
Lawrence Martin Sigmund, Netawaka

JEFFERSON COUNTY

Waldo Aikins, Ozawkie
Guy W. Baker, Ozawkie
Charles Lowman Decker, Oskaloosa
James S. Lester, Oskaloosa
*Richard A. Swallow, Oskaloosa

JOHNSON COUNTY

Brewster Bartlett, Mission
John W. Breyfogle, Jr., Olathe
Neil Hambleton, De Soto
Harley Haskin, Olathe
Murray H. Hodges, Olathe
Elmer Hoge, Overland Park
Charles W. Hoover, Olathe
James R. Hoover, Olathe
Maurice R. Hubbard, Olathe
Herbert L. Lodge, Olathe
Ralph Mullin, Olathe
Orlin A. Weede, Kansas City, Mo.

* Honorably discharged.

‡ Missing in action.

KINGMAN COUNTY

Theodore M. Flick, Kingman
 Woodrow B. Morris, Kingman
 Charles H. Stewart, Kingman

KIOWA COUNTY

Rex Lawrence Culley, Mullinville
 *Clarence Holeman, Mullinville
 V. M. McElroy, Greensburg
 Ernest M. Vieux, Greensburg

LABETTE COUNTY

Hal Hyler, Parsons
 Stuart T. McAlister, Parsons
 J. Logan Shuss, Parsons
 Herman W. Smith, Jr., Parsons

LEAVENWORTH COUNTY

Greever Allen, Tonganoxie
 Vincent C. Allred, Leavenworth
 Walter I. Biddle, Leavenworth
 Cornelius H. Boone, Leavenworth
 Thomas Homer Davis, Leavenworth
 Bernard A. Herken, Leavenworth
 Edwin J. Holman, Leavenworth
 John H. Murray, Leavenworth
 Keefe O'Keefe, Leavenworth
 William D. Reilly, Leavenworth
 **Lucien B. Rutherford, Leavenworth
 James N. Snyder, Leavenworth

LINCOLN COUNTY

Ben Marshall, Jr., Lincoln
 Ralph A. Rodgers, Lincoln

LINN COUNTY

Leighton A. Fossey, Mound City
 R. Douglas Gleason, Mound City
 John H. Morse, Mound City
 James W. Wallace, Mound City

LOGAN COUNTY

V. Earl Artley, Russell Springs
 Corwin C. Spencer, Oakley

LYON COUNTY

George L. Allred, Emporia
 Frank F. Eckdall, Emporia
 Robert H. Hudkins, Emporia
 Samuel Mellinger, Emporia
 James W. Putnam, Emporia
 Wilford R. Riegle, Emporia
 Max Dale Robinson, Emporia
 Lew Schmucker, Emporia
 B. F. Tracey, Emporia

MARION COUNTY

Harold M. Hauser, Marion
 Charles W. Ward, Peabody

MARSHALL COUNTY

§Kenneth R. Baxter, Marysville
 *Roy W. Cliborn, Marysville
 William S. Eddy, Marysville
 Robert E. O'Neil, Axtell
 William M. Shaffer, Frankfort

MCIPHERSON COUNTY

John K. Brandon, McPherson
 Kenneth L. Hodge, McPherson
 Paul A. Lackie, McPherson
 George R. Lehmborg, McPherson
 Evert Mills, McPherson
 J. R. Rhoades, McPherson
 Kenneth D. Rupp, Moundridge
 L. H. Ruppenthal, McPherson
 William P. Thompson, McPherson

MEADE COUNTY

E. Keith Beard, Meade

MIAMI COUNTY

L. Perry Bishop, Paola
 Willis H. McQueary, Osawatomie
 Robert I. Nicholson, Paola
 C. Eugene Ricketts, Paola
 Oliver D. Rinehart, Paola
 Karl V. Shawver, Jr., Paola

* Honorably discharged.

§ Killed in action.

** Retired.

MITCHELL COUNTY

Max L. Hamilton, Beloit
Orin C. Jordan, Beloit
Leon W. Lundblade, Beloit
L. A. Willett, Beloit

MONTGOMERY COUNTY

§ Harry J. Akers, Coffeyville
Raymond Belt, Coffeyville
William J. Burns, Independence
Wallace Carpenter, Independence
Glenn T. Crossan, Independence
Morris D. Hildreth, Coffeyville
William Roy Kirby, Coffeyville
Paul A. Lamb, Caney
Jake L. Liberman, Caney
Frank W. Liebert, Coffeyville
Harold McGugin, Coffeyville
Laurence McVey, Independence
John C. Miller, Coffeyville
John F. O'Brien, Independence
Jay W. Scovel, Independence
Donald W. Stewart, Independence
Theo F. Varner, Independence
Cyrus Wade, Jr., Independence
Harold A. Wayman, Coffeyville
Carl E. Ziegler, Coffeyville

MORRIS COUNTY

Wilbur G. Leonard, Council Grove
John J. Rhodes, Council Grove

MORTON COUNTY

George Edward Denning, Elkhart

NEMAHA COUNTY

Robert Lee Jessee, Centralia
James A. McClain, Sabetha

NEOSHO COUNTY

Joe F. Balch, Erie
George W. Donaldson, Chanute
Clark M. Fleming, Erie
John C. McCall, Chanute

NESS COUNTY

Ray McCombs, Ness City
Stanley C. Miner, Ness City

NORTON COUNTY

Keith George Sebelius, Almena

OSAGE COUNTY

Harry T. Coffman, Lyndon
Charles Heizer, Osage City
George E. Ramskill, Burlingame

OSBORNE COUNTY

Lloyd Cecil Bloomer, Osborne
Charles E. Henshall, Osborne
Donald J. Magaw, Osborne

OTTAWA COUNTY

John Chris Anderson, Tescott
Gail Haddock, Minneapolis

PAWNEE COUNTY

Edward Tennis Arnsbarger, Larned
Richard H. Browne, Burdett
Russell L. Strobel, Larned

PHILLIPS COUNTY

Wallace C. Sullivan, Phillipsburg

POTTAWATOMIE COUNTY

John Wilbur Brookens, Westmoreland
Delmas C. Hill, Wamego
Robert Homer Kaul, Wamego
Gerald E. Kolterman, Wamego
Gale E. Krouse, Onaga
Derald M. Sparks, St. Marys

PRATT COUNTY

Raymond L. Cobean, Pratt
George L. Keller, Pratt
Robert G. Miller, Pratt
George Rockwell Smith, Pratt
Myron S. Steere, Pratt

RAWLINS COUNTY

Lloyd H. Vieux, Atwood

RENO COUNTY

John R. Alden, Hutchinson
Wesley E. Brown, Hutchinson
W. D. P. Carey, Hutchinson

John M. Farley, Hutchinson
 Alva L. Fenn, Hutchinson
 John Fontron, Jr., Hutchinson
 Robert J. Gilliland, Hutchinson
 Robert M. Holford, Hutchinson
 J. Richards Hunter, Hutchinson
 Ted H. Hurtt, Hutchinson
 Leland J. Propp, Hutchinson
 Charles E. Rauh, Hutchinson
 James H. Rexroad, Hutchinson
 John E. Shamberg, Hutchinson
 J. Claire Stevens, Hutchinson
 Arthur L. Sparks, Hutchinson
 William H. Vernon, Jr., Hutchinson
 Abraham Weinlood, Hutchinson
 E. Victor Wilson, Hutchinson

REPUBLIC COUNTY

Fred Emery, Belleville
 Wilton D. Miller, Belleville
 Guy E. Ward, Belleville

RICE COUNTY

Everett Baker, Lyons
 Harold Gibson, Lyons
 Arthur Hodgson, Lyons
 Robert Y. Jones, Lyons
 Edward Wahl, Lyons
 Frederick Woelzel, Lyons

RILEY COUNTY

Harold Hughes, Manhattan
 Gerald Francis Smith, Manhattan
 Richard C. Wells, Manhattan
 W. R. Womer, Manhattan

ROOKS COUNTY

Robert Kenneth Osborn, Stockton

RUSH COUNTY

Vernon Weber, La Crosse

RUSSELL COUNTY

Richard Michael Driscoll, Russell
 Floyd L. Kirkman, Russell

SALINE COUNTY

Frank L. Barbee, Salina
 Francis F. Blundon, Salina
 Harold H. Chase, Salina
 C. L. Clark, Salina
 W. C. Millikin, Salina
 Hugh Patrick Quinn, Salina
 Wint Smith, Salina
 D. E. Watson, Salina
 J. Herb Wilson, Salina
 *William Harold Young, Salina

SCOTT COUNTY

Charles H. Fleming, Scott City

SEDGWICK COUNTY

E. Lael Alkire, Wichita
 Edward F. Arn, Wichita
 Roger P. Almond, Wichita
 Oscar F. Belin, Wichita
 A. C. Blakeley, Wichita
 Harlin E. Bond, Wichita
 Robert G. Braden, Wichita
 Joseph Hayden Brown, Wichita
 Mack Bryant, Wichita
 Henry L. Butler, Wichita
 Eugene Coombs, Wichita
 Wayne Coulson, Wichita
 Paul J. Donaldson, Wichita
 Gray Dresie, Wichita
 W. Jay Esco, Wichita
 Sidney L. Foulston, Wichita
 John C. Frank, Wichita
 John H. Gerety, Wichita
 Ralph E. Gilchrist, Wichita
 Innis D. Harris, Wichita
 Lew Hasty, Wichita
 Everett S. Higgins, Wichita
 Enos E. Hook, Wichita
 Harold Irwin, Wichita
 Richard Owen Jones, Wichita
 J. Paul Jorgenson, Wichita
 *Howard C. Kline, Wichita
 Maurice Lampl, Wichita
 W. Luke Chapin, Wichita

* Honorably discharged.

*Forest V. McCalley, Wichita
 Charles F. McClintock, Wichita
 Lee R. Meador, Wichita
 Donald I. Mitchell, Wichita
 Robert B. Morton, Wichita
 William F. Pielsticker, Wichita
 G. K. Purves, Jr., Wichita
 James V. Riddell, Wichita
 Kurt Riesen, Wichita
 Robert B. Ritchie, Wichita
 Roy L. Rogers, Wichita
 Victor J. Rogers, Wichita
 Paul Schmidt, Wichita
 Garner E. Shriver, Wichita
 Arthur W. Skaer, Wichita
 Carl T. Smith, Wichita
 *Claude Sowers, Wichita
 George Stallwitz, Wichita
 Frank Steinkirchner, Wichita
 John E. Walker, Wichita
 William R. Ward, Wichita
 George Leroy Warner, Jr., Wichita
 William J. Wertz, Wichita
 Paul H. White, Wichita
 Milton Zacharias, Wichita

SEWARD COUNTY

*Auburn G. Light, Liberal

SHAWNEE COUNTY

Richard F. Allen, Topeka
 Marion Beatty, Topeka
 Mark L. Bennett, Topeka
 Harry P. Betzer, Topeka
 Charles W. Bradshaw, Topeka
 Raymond Briman, Topeka
 F. Quinton Brown, Topeka
 Curtis Andrew Burton, Topeka
 William F. Butters, Topeka
 Philip Buzick, Topeka
 Clare C. Casey, Topeka
 Charles C. Clark, Topeka
 Francis M. Clark, Topeka
 Arthur L. Claussen, Topeka
 James E. Collingwood, Topeka
 Robert K. Corkhill, Topeka

Clyde P. Cowgill, Topeka
 ‡George Crane, Topeka
 Claude S. Cravens, Jr., Topeka
 *Henry D. Dangerfield, Topeka
 Charles Leroy Davis, Jr., Topeka
 Charles W. Davis, Jr., Topeka
 Hal C. Davis, Topeka
 Russell E. Davis, Topeka
 Jacob A. Dickinson, Topeka
 Harold E. Doherty, Topeka
 A. H. Drebing, Topeka
 Hubert Else, Topeka
 Perry A. Ennis, Topeka
 Frank P. Eresch, Topeka
 *Louis H. Eversole, Topeka
 David H. Fisher, Topeka
 Erle W. Francis, Topeka
 Richard R. Funk, Topeka
 Wendell B. Garlinghouse, Topeka
 William A. Gray, Topeka
 John Shelley Graybill, Topeka
 †Paul L. Harvey, Topeka
 Doral H. Hawks, Topeka
 Elmer Holm, Topeka
 John H. Hunt, Topeka
 Howard N. Immell, Topeka
 Freeman B. Irby, Topeka
 Robert R. Irwin, Topeka
 Balfour S. Jeffrey, Topeka
 Roy H. Johnson, Topeka
 Robert R. Jones, Topeka
 John F. Kaster, Topeka
 William B. Kirkpatrick, Topeka
 Jay Kyle, Topeka
 Reginald La Bunker, Topeka
 Phil H. Lewis, Topeka
 J. C. Linge, Topeka
 Lyle Loomis, Topeka
 Clarence Malone, Topeka
 Fred A. Mann, Topeka
 Ward D. Martin, Topeka
 Charles Frederick McCoy, Topeka
 John Edward McCullough, Topeka
 Frank H. McFarland, Topeka
 Clark H. McPherson, Topeka
 Robert Merrick, Topeka

* Honorably discharged.

† Died after having been honorably discharged.

‡ Missing in action.

William M. Mills, Jr., Topeka
 R. Lee Montre, Topeka
 Rex Allen Neubauer, Topeka
 Joe Nickell, Topeka
 Ralph W. Oman, Topeka
 Robert A. Peterson, Topeka
 James W. Porter, Topeka
 Harlow Preston, Topeka
 Robert T. Price, Topeka
 William L. Rees, Topeka
 Frank G. Richard, Jr., Topeka
 *Lawrence J. Richardson, Topeka
 Leland W. Richardson, Topeka
 Lewis Richardson, Topeka
 Charles Rooney, Topeka
 Edward Rooney, Jr., Topeka
 Fred Rooney, Topeka
 Keene Saxon, Topeka
 Elisha Scott, Jr., Topeka
 Warren W. Shaw, Topeka
 Eldon R. Sloan, Topeka
 James E. Smith, Topeka
 Harris Squire, Topeka
 Maurice Stack, Topeka
 Walt A. Steiger, Topeka
 Paul C. Steinrauf, Topeka
 Edward Stevens, Topeka
 Walter G. Stumbo, Topeka
 Wilbert F. Thompson, Topeka
 *W. K. Thompson, Topeka
 William Eugene Treadway, Topeka
 Arthur N. Turner, Topeka
 John C. Weeks, Topeka
 Kenneth Wilke, Topeka
 John M. Williams, Topeka

SHERMAN COUNTY

Maxwell L. Jones, Goodland
 Eugene P. Zuspahn, Goodland

SMITH COUNTY

W. R. Lutz, Smith Center
 Mason Mahin, Smith Center
 Arno Windscheffel, Smith Center

STAFFORD COUNTY

Andrew Stone Hartnett, Stafford
 Henry Morris Garvin, St. John
 James E. Sperling, Stafford
 Ernest Edward Wiles, Macksville

STANTON COUNTY

Max L. Dice, Johnson

SUMNER COUNTY

Bert E. Church, Wellington
 Ford E. Harbaugh, Wellington
 James H. Taggart, Wellington

THOMAS COUNTY

Donald D. Phillips, Colby

TRIGO COUNTY

Kenneth Wagner, Wakeeney
 William H. Wagner, Jr., Wakeeney

WABAUNSEE COUNTY

Carl H. Houseworth, Harveyville

WASHINGTON COUNTY

H. N. Hyland, Washington

WICHITA COUNTY

Glendon Earl Rewerts, Leoti

WILSON COUNTY

Charles A. Bauer, Jr., Fredonia
 Ora D. McClellan, Neodesha
 J. R. Sheedy, Fredonia
 Paul W. Stephens, Neodesha

WOODSON COUNTY

Clyde Hill, Yates Center
 Leo W. Mills, Yates Center

WYANDOTTE COUNTY

Bernhard W. Alden, Kansas City
 William A. Baker, Kansas City
 E. A. Benson, Jr., Kansas City

* Honorably discharged.

Charles A. Bowman, Kansas City
Buford E. Braly, Kansas City
Charles W. Brenneisen, Jr.,
Kansas City
Washington H. Brown, Kansas City
Hugh E. Brownfield, Kansas City
Raymond H. Carr, Kansas City
David W. Carson, Kansas City
Knowlton E. Carson, Kansas City
O. Q. Claffin, III, Edwardsville
Martin C. Crown, Kansas City
Lawrence Cunningham, Kansas City
John K. Dear, Kansas City
Harry S. Deutch, Kansas City
Harold H. Harding, Kansas City
Donald Higby, Kansas City
William S. Hyatt, Jr., Kansas City
William C. Karnazes, Kansas City
*Walter G. Klamm, Kansas City
Donald C. Little, Kansas City
*Thomas C. Lysaught, Kansas City
Don E. Martin, Kansas City
Patrick Bevan McAnany,
Kansas City
Charles McCamish, Kansas City
Joseph H. McDowell, Kansas City
Conrad Miller, Kansas City
Harry G. Miller, Jr., Kansas City
Lloyd S. Miller, Kansas City
Tudor M. Nellor, Kansas City
Joseph Scott Payne, Kansas City
Willard L. Phillips, Kansas City
Claude Rice, Kansas City
Jeff A. Robertson, Kansas City
John Eric Royston, Kansas City
Charles S. Schnider, Kansas City
Hugh C. Scott, Kansas City
James M. Scott, Kansas City
William E. Scott, Kansas City
John Seitz, Kansas City
Douglas Sharp, Kansas City
J. Wentworth Smith, Kansas City
Arthur J. Stanley, Jr., Kansas City
Russell L. Stephens, Kansas City
Earl B. Swarner, Kansas City
Leo A. Swoboda, Kansas City
Thomas M. Van Cleave, Jr.,
Kansas City
William Lee Vaughn, Jr.,
Kansas City
Charles F. Williams, Kansas City
Blake A. Williamson, Kansas City
Ernest A. Yarnevich, Kansas City

* Honorably discharged.

MEMBERS OF THE JUDICIAL COUNCIL

WALTER G. THIELE, <i>Chairman</i> . (1941-)	Topeka
Justice of the Supreme Court.	
EDGAR C. BENNETT. (1938-)	Marysville
Judge Twenty-first Judicial District.	
GEORGE TEMPLAR. (1939-1941, 1943-)	Arkansas City
WALTER F. JONES. (1941-)	Hutchinson
Chairman Senate Judiciary Committee.	
SAMUEL E. BARTLETT. (1941-)	Wichita
JAMES E. TAYLOR. (1941-)	Sharon Springs
RANDAL C. HARVEY, <i>Secretary</i> . (1941-)	Topeka
I. M. PLATT. (1943-)	Junction City
Chairman House Judiciary Committee.	
GROVER PIERPONT. (1943-)	Wichita
Judge Third Division, Eighteenth Judicial District.	

FORMER MEMBERS OF THE JUDICIAL COUNCIL

W. W. HARVEY. (<i>Chairman</i> , 1927-1941)	Ashland
J. C. RUPPENTHAL. (<i>Secretary</i> , 1927-1941)	Russell
EDWARD L. FISCHER. (1927-1943)	Kansas City
ROBERT C. FOULSTON. (1927-1943)	Wichita
CHARLES L. HUNT. (1927-1941)	Concordia
CHESTER STEVENS. (1927-1941)	Independence
JOHN W. DAVIS. (1927-1933)	Greensburg
C. W. BURCH. (1927-1931)	Salina
ARTHUR C. SCATES. (1927-1929)	Dodge City
WALTER PLEASANT. (1929-1931)	Ottawa
ROSCOE H. WILSON. (1931-1933)	Jetmore
GEORGE AUSTIN BROWN. (1931-1933)	Wichita
RAY H. BEALS. (1933-1938)	St. John
HAL E. HARLAN. (1933-1935)	Manhattan
SCHUYLER C. BLOSS. (1933-1935)	Winfield
E. H. REES. (1935-1937)	Emporia
O. P. MAY. (1935-1937)	Atchison
KIRKE W. DALE. (1937-1941)	Arkansas City
HARRY W. FISHER. (1937-1939)	Fort Scott
PAUL R. WUNSCH. (1941-1943)	Kingman

Sec. 562, P. L. & R.

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PAID

Topeka, Kansas

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