Deaths

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Nebraska Unifies the State Bar by Court Rule

One of the most recent converts to state bar integration is Nebraska. A proceeding was adopted, similar to that attempted in Indiana a few years ago. A petition was filed in the Supreme Court by a committee of lawyers belonging to the Nebraska State Bar Association, seeking integration by court rules. In an extensive and convincing opinion the court of six judges, without dissent, found they possessed ample power to unify the bar, by virtue of the court’s inherent power as the highest tribunal of the state, and authorized to regulate and control the bar as part of the judicial machinery; such power being more logically incident to the judicial branch of government than to either the executive or legislative.

The court proceeded on the ground that attorneys are officers of the court, amenable to it as their superior, to which they owe their first allegiance. It also recognized that the court owes a duty to the bar, when it realizes that the latter can do little to better the present unhappy situation in which the profession has been placed in public estimation. The court, after considering the subject in the light of principle and precedent, concluded:

"We feel that it is our duty, especially when the request comes from so large a majority of the bar who participated in the referendum on the subject, to consider favorably the adoption of rules providing for the integration of the bar of this state by court rule under the powers lodged in this court by the constitution of the state. The prayer of the petitioners will therefore be granted."

DEATHS

Albert Barnes Anderson, age 81, retired Judge of the Circuit Court of Appeals of the Seventh Circuit, formerly Judge of the United States District Court for the District of Indiana; died April 27, 1938.

Charles O. Baltzell, age 65, Princeton, died April 16, 1938.

Ezra Mattingly, age 73, Washington, died May 22, 1938.

Edison L. Ferguson age 66, Terre Haute, died May 9, 1938.

Clark J. Lutz, age 75, Decatur, died April 11, 1938.

Ralph C. McClung, age 45, Judge of the White Circuit Court, died May, 1938.