

# HIGH HONOR COMES TO PRESIDENT SMITH

ELECTED MEMBER OF BOTH  
ECONOMIC LEAGUE AND  
HONOR SOCIETY.

As a member of the National Council  
of the League. He Will Enter  
Into Valuable Discussions.

President Erdmann Smith has been elected as a member of the National Council of the National Economic League to represent the state of Kansas.

The aim of the League is to provide a means for giving expression to the informed and disinterested opinion of the country regarding economic, social, and political problems, with a view to creating a public opinion that will be a vital and controlling force in our government.

Over forty-five hundred of the most representative men of the country have already expressed their sympathy with the purpose of the League, and their willingness to cooperate as members of its National Council. This National Council elects the officers of the League, and determines any important questions of policy that may arise.

In order to provide for the discussion of the issues selected by the National Council, Economic Clubs have been established in New York, Boston, Providence, Portland, San Francisco, Chicago, and other cities. The League also issues a quarterly magazine "The Consensus" in which are printed the most important addresses delivered before the Economic Clubs, and the reports of its committees.

The last question which the Council considered is The Administration of Justice. The following is a summary of the report of this discussion:

Of all the problems confronting this country at the present time the most important, in the opinion of The National Economic League, is the administration of justice.

Several months ago the League appointed a committee of judges, lawyers, professors of law and laymen, from all parts of the country to consider the subject. The Committee has outlined the problem in a series of questions which they have voted and commented on and which are now published in the June issue of The Consensus, the quarterly publication of the League.

There are twenty-two main questions. The first relates to the establishment of permanent State Judicial Councils. The duty of these Councils would be to study the various branches of the law in action, and to make recommendations for their improvement. This proposal is generally considered by the Committee to be of great importance and is favored by ninety percent of the members who voted on it.

With regard to the selection and tenure of judges, two-thirds of the voting members of the Committee were found to be in favor of an appointive as against an elective judiciary, a majority favoring life tenure with a definite age of retirement, the age of seventy being most generally approved. Most of those who favor an elective judiciary believe that the election should be by means of a non-partisan, non-political, and separate ballot.

Under the general subject of State Courts proposals for the unification of the judicial system and for specialized branches of the courts with specialist judges in the larger cities are overwhelmingly favored. Rules of practice and procedure, most of the members think, should be determined by the highest court of each state.

The proposal to give trial judges power, in both civil and criminal cases, to sum up the evidence orally, to comment upon its weight and sufficiency and upon the credibility of witnesses is also favored, by over eighty percent of the members voting.

On the question of avoiding retrial by allowing the courts of appeals to receive new evidence, or have it taken, to make new findings of facts, and to enter final judgments based upon such evidence or findings, the Committee is more nearly divided. Twenty-six members as against twenty are in favor of adopting this procedure for civil cases. A bare majority favor it for criminal cases.

About ninety percent of the members of the Special Committee think that the defendant in a criminal case should be given the right to waive jury trial and be tried by court. Only one-third of the members would except either death or life imprisonment cases. Two-thirds of the Committee would, however, advocate three judges sitting in such cases.

Nearly two-thirds of the Committee believe that the defendant in a criminal case should not be required to take the witness stand and submit to examination and cross-examination and that comment on his failure to take the stand should be allowed.

The Committee is also nearly unanimous (fifty-nine as against six) in favor of the proposal to enable less

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than twelve of the jury to return a verdict in civil cases. In criminal cases the vote was forty-one favoring as against twenty-one opposing. Sixty percent of the Committee would not except cases involving the death penalty or life imprisonment. A majority of the members were in agreement that nine jurors should concur in such verdicts.

In misdemeanor cases a smaller jury is considered advisable by most of the Committee, a jury of six being generally favored.

On the question of the mental capacity of a person to be tried for a crime three-fourths of the Committee believe that this should be taken out of the forensic field and determined by a disinterested body of experts, and that the question of irresponsibility should be determined by the court rather than by the jury.

For the improvement of the bar, two main questions are submitted. The first proposes that the entire bar of each state should have an official organization with compulsory membership, annual dues, and powers of self-discipline, subject to judicial review or appeal. On this question thirty-three members voted yes as against twenty-two opposed. The second question, together with the vote thereon is as follows:

Should two years of college work outside of a law school and three years of law school work, as recommended by the American Bar Association, be exacted for admission to the bar? Yes 46 No 14.

(a) Should there be an examination on character and fitness as well on knowledge of rules of law? Yes 58. No 1.

(b) Should there be educational requirements other than knowledge of law? Yes 52. No 5.

There is nearly equal division of opinion as to whether district attorneys, and other prosecuting officers, excepting attorneys generally, should be appointed or elected.

That there should be standing legislative counsel or other advisory persons appointed by the Legislature, to assist in the study of pending legislation as means of improving the technic of law-making and of avoiding uncoordinated and inconsistent legislation, is accepted almost unanimously.

Uniform state laws on many subjects are deemed desirable by a majority of the Committee.

A majority of the Committee does not believe that grand juries should be abolished in favor of the proposal to initiate all criminal proceedings by information, but they are of the opinion that there should be a reclassification of crimes with a view to limiting the requirements of indictment by grand jury to a smaller number of the more serious offenses.

Over eighty percent of the Committee believe that many violations of law, now called crimes and involving a criminal record but punishable only by fines, should be converted by statute into civil offences involving liability to the state without criminal record.

The proposal for state legislation to provide for public defenders was favored by a small majority, thirty-two against twenty-seven.

Legislation for making agreements to arbitrate business disputes valid and enforceable by summary procedure is favored by sixty percent of the Committee.

The votes on the above questions, the League states, are in the nature of a preliminary survey of present opinion and are intended to provide a basis for further intensive study of the subject.

President Smith has also been elected as a member of the Social Science Honor Society Pi Gamma Mu. President Smith has said that he would be very glad to see a chapter of this honor society in O. U. The purpose of Pi Gamma Mu is the inculcation of the ideals of scholarship, scientific attitude and method and social service in relation to all social problems. Its motto is "Ye shall know the truth and the truth shall make you free." Its particular purpose is to send out from our colleges and universities young men and women imbued with social idealism, trained in scientific thought and encouraged to help others to be scientific in their thinking on social questions.