

# Attorney General's Biennial Report



STATE OF IDAHO

1937 - 1938



# ATTORNEY GENERAL'S DEPARTMENT

J. W. TAYLOR.....	ATTORNEY GENERAL
R. W. Beckwith.....	Assistant Attorney General
*Ariel L. Crowley.....	Assistant Attorney General
E. G. Elliott.....	Assistant Attorney General
*Bert H. Miller.....	Assistant Attorney General
Lawrence B. Quinn.....	Assistant Attorney General
D. W. Thomas.....	Assistant Attorney General
Marjory Landsborough.....	Secretary to Attorney General
*Lucille Ahern.....	Stenographer
Melba Brown.....	Stenographer
Mildred Clare.....	Stenographer
*Ila Droz.....	Stenographer
*Louisa Rothfus.....	Stenographer
Ruth Smith.....	Stenographer

\*Resigned.

PROSECUTING ATTORNEYS FOR COUNTIES OF IDAHO  
1937 - 1938

County	Name	Address
Ada.....	Willis C. Moffatt.....	Boise
Adams.....	C. H. Swanstrom.....	Council
Bannock.....	Milton E. Zener.....	Pocatello
Bear Lake.....	D. E. Haddock.....	Paris
Benewah.....	Wm. D. Keeton.....	St. Maries
Bingham.....	Wm. Furchner.....	Blackfoot
Blaine.....	Roy Van Winkle.....	Hailey
Boise.....	C. Marcus.....	Idaho City
Bonner.....	Allen H. Asher.....	Sandpoint
Bonneville.....	Henry S. Martin.....	Idaho Falls
Boundary.....	W. J. Nixon.....	Bonnors Ferry
Butte.....	W. J. Lamme.....	Arco
Camas.....	Chas. O. Scoggin.....	Fairfield
Canyon.....	Donald Anderson.....	Caldwell
Caribou.....	R. J. Dygert.....	Soda Springs
Cassia.....	Adonis H. Nielson.....	Burley
Clark.....	Wm. W. Renfrew.....	Dubois
Clearwater.....	Samuel F. Swayne.....	Orofino
Custer.....	Merle L. Drake.....	Challis
Elmore.....	L. B. Green.....	Mountain Home
Franklin.....	Ben B. Johnson.....	Preston
Fremont.....	Ralph Litton.....	St. Anthony
Gem.....	Thomas Y. Gwilliam.....	Emmett
Gooding.....	M. F. Ryan.....	Gooding
Idaho.....	Harry J. Hanley.....	Grangeville
Jefferson.....	C. A. Bandel.....	Rigby
Jerome.....	Frank M. Rettig.....	Jerome
Kootenai.....	Wm. S. Hawkins.....	Coeur d'Alene
Latah.....	Murray Estes.....	Moscow
Lemhi.....	E. W. Whitcomb.....	Salmon
Lewis.....	G. C. Pennell.....	Nezperce
Lincoln.....	Geo. B. Haddock.....	Shoshone
Madison.....	C. W. Poole.....	Rexburg
Minidoka.....	Hugh Redford.....	Rupert
Nez Perce.....	Ray E. Durham.....	Lewiston
Oneida.....	T. E. Ray.....	Malad
Owyhee.....	Milo C. Axelsen.....	Silver City
Payette.....	John T. Kenward.....	Payette
Power.....	P. A. Anderson.....	American Falls
Shoshone.....	Robert E. Brown.....	Wallace
Teton.....	S. H. Atchley.....	Driggs
Twin Falls.....	Edward Babcock.....	Twin Falls
Valley.....	Fred M. Taylor.....	Cascade
Washington.....	John J. Peacock.....	Weiser

## ATTORNEYS GENERAL OF THE STATE OF IDAHO

### Since Statehood

*George H. Roberts.....	1891 - 1892
*George M. Parsons.....	1893 - 1896
*Robert E. McFarland.....	1897 - 1898
*Samuel H. Hays.....	1899 - 1900
Frank Martin.....	1901 - 1902
John A. Bagley.....	1903 - 1904
*J. J. Guheen.....	1905 - 1908
*D. C. McDougall.....	1909 - 1912
*Joseph H. Peterson.....	1913 - 1916
*T. A. Walters.....	1917 - 1918
Roy L. Black.....	1919 - 1922
A. H. Conner.....	1923 - 1926
Frank L. Stephan.....	1927 - 1928
W. D. Gillis.....	1929 - 1930
Fred J. Babcock.....	1931 - 1932
Bert H. Miller.....	1933 - 1936
J. W. Taylor.....	1937 -

\*Deceased.

## JUSTICES OF THE SUPREME COURT

1937 - 1938

Edwin M. Holden, Chief Justice.....	Idaho Falls
Alfred Budge, Justice.....	Pocatello
Raymond L. Givens, Justice.....	Boise
William M. Morgan, Justice.....	Boise
James F. Ailshie, Justice.....	Coeur d'Alene
Clerk of Supreme Court, Clay Koelsch	

## REPORT OF THE ATTORNEY GENERAL

DECEMBER, 1938.

Honorable Barzilla W. Clark  
Governor of Idaho  
Boise, Idaho

Dear Governor Clark:

In compliance with statutory requirements I submit my report for the biennium ending December 1, 1938.

In the case of State vs. W. L. Robison, et al, in the decision rendered October 25, 1938, our Supreme Court issued a permanent writ of prohibition against the members of the Industrial Accident Board and the State Treasurer, prohibiting them from paying out of the Unemployment Compensation Fund in the State treasury, any moneys except upon Auditor's warrants based upon claims presented to and approved by the State Board of Examiners. In effect the Court held, in this decision, that these moneys were State moneys and disbursements thereof should be made in conformity with the Constitution and statutes of the State of Idaho. The Court, in this decision, said:

"There are, however, numerous taxes limited as to those liable for the payment thereof, which have always been considered State funds and require claims against the same to be passed upon by the State Board of Examiners."

The decision specifically refers to federal grants in aid under the Public Assistance Law, 1937 Session Laws, page 372, Chapter 216, and the Cooperative Emergency Revenue Fund, 1937 Session Laws, page 435, Chapter 244, State Insurance Fund under Workmen's Compensation statute 43-1727, I. C. A. (and other funds). It is recommended that all Public Assistance funds and Public Welfare moneys be deposited in the State treasury by those receiving such grants from the federal government, and that said moneys be paid out of the State treasury in accordance with the decision in this case.

This opinion is not confined to the State moneys named herein, but for future reference to the use of Revolving Funds, and for practices generally in relation thereto, see the State Auditor's Biennial Report of 1938.

It is recommended that appropriation be made and adequate legislation adopted to create a permanent force to make continuous study of valuations of all properties in the

State of Idaho upon which the State Board of Equalization is required to fix valuations. As the law now stands and under the present practice in force, this Board does not have sufficient technical information upon the subjects necessary for it to consider, upon which to base proper valuations on utility property.

It is also recommended that legislation be enacted and appropriations made to increase the personnel in the Bureau of Public Accounts so that it may adequately and efficiently function. This Bureau is handicapped both by appropriations and personnel at the present time. It has been doing a wonderful service to the State of Idaho with the means at its command, but under the law which requires this Bureau to audit the accounts of all departments of State, it is obvious that it does not have the proper facilities to adequately do the job intended of it. Sufficient appropriation should be made by the incoming legislature to provide for periodic audits of the public accounts of all departments of State.

It is recommended that the laws now in force and effect relative to the employment of disabled war veterans should be amended to make punishment for violations thereof more stringent and to protect adequately disabled veterans in employment within this State. While we do have statutes relative to preference of employment of disabled war veterans on public works, (Chapter 152, 1937 Session Laws) it will be noticed that there is no penalty attached to a violation of this law and hence a disregard of the provisions of the act has been universal. If we are to have legislation favoring disabled war veterans, it should have some penal provisions sufficient to give the legislation proper force and effect and make the administration thereof effective.

It is recommended that the legislature be requested to pass adequate laws providing for proper supervision of the expenditure of all highway funds, the letting of highway contracts for the construction, repairs and maintenance of the highways of this State, the designation of State highways and the State highway system, the adoption of standard highways throughout the State, and complete jurisdiction and responsibility for the locating and building of new roads. Under the present system all of these functions are placed in the hands of one man with the consequent temptation to personal domination and resulting carelessness, neglect and waste in the management of highway affairs.

This office recommends the repeal of Sections 65-2018 to 65-2021, dealing with rotary expense funds, commonly

designated "revolving funds". The abuse of these statutes which has grown up in the State of Idaho is tremendous, and an examination of the State Auditor's Report which we have heretofore referred to, and a further examination of the revolving funds now maintained under the authority of these statutes in the State of Idaho and the various manners in which payment of State moneys is being made out of the State treasury from these various funds, will convince any person of the great amount of errors and irregularities which may ensue in the disbursement of State moneys if said statutes are continued in effect and the present methods of operating thereunder are continued. There are now forty-six such revolving funds in the different departments of this State. Therefore, there are forty-six officers of the State of Idaho other than the State Treasurer, paying out State moneys. This can hardly be consistent with the constitutional provisions of this State and the duties charged upon the office of the Treasurer of the State. It is not proper to subject the Treasurer of this State, and the State Auditor, to the liabilities which may occur by having so many people controlling part of the State funds. Of these forty-six revolving funds there are two \$100,000 funds, one of \$50,000, and one \$40,000. We recommend that in place of this law a specific law be enacted by the legislature specifically appropriating a certain sum of money into a revolving fund under the disbursement of the State Auditor, sufficient to take care of ordinary small cash items such as traveling expenses of State officers, etc.

We further recommend to your Excellency the amendment of our statutes dealing with Grand Juries. We recommend that statutory legislation be adopted providing for a Grand Jury to be called periodically for the purpose of investigating any and all department of State government, and that the expense of said Grand Juries be provided for by an adequate appropriation from State moneys.

On May 6, 1938, the Supreme Court rendered its decision in the case of State on relation of S. H. Walton, et al, vs. Harry C. Parsons, reported in 58 Ida. 787. In this decision the court held an act of the legislature appropriating \$3,000 to the Walton family for injuries sustained by them through the negligence of State employees to be unconstitutional. There is no question as to the soundness of this decision under our constitutional provisions, that the State is not liable for the negligent acts of its officials or employees. However, our State has now reached that degree of development where many state-owned cars are being operated daily,

which creates a great hazard to the motoring public, and citizens of the State generally. Several states in the Union, including New York, have provided means by statute whereby a citizen injured by State employees may sue the State in a particular court and establish his damages, after which the State will recognize such judgment and pay for said damages. We recommend that proper constitutional amendments and statutory legislation be enacted to authorize citizens of this State to sue the State for damages sustained by them by reason of the negligence of State officials and employees.

#### HIGHWAY AUDIT AND GRAND JURY

The 1937 legislature ordered an audit of the State Bureau of Highways and appropriated \$25,000 to be used for that purpose. A corps of auditors was employed by the Governor and the completed audit has recently been submitted. A discussion of the findings of the auditors can not be given here for lack of space, but their report may be summarized as indicating a number of irregularities in the conduct of the bureau. The Grand Jury was called in Ada County in January, 1938, for the consideration of matters revealed by this report as well as an investigation of public prisons in the county as required by statute. A number of criminal cases are pending as a result of indictments brought by the Grand Jury. For the trial of these cases, Honorable Doran H. Sutphen, Judge of the Fourth Judicial District, and Honorable Guy W. Stevens, Judge of the Sixth Judicial District, have been appointed to conduct a trial of a number of these cases, and the balance are in the hands of Honorable Isaac McDougall, of the Fifth Judicial District.

The Attorney General's office was requested to assist the Grand Jury, collaborating in that respect with the Honorable Willis C. Moffatt, Prosecuting Attorney for Ada County, and the same counsel have cooperated in the preparation of the criminal cases involved for trial. In this work the State has been seriously handicapped for lack of funds. In submitting a budget for the current biennium a contingent fund of \$3,000.00 was requested by this office, but this was reduced by the Governor to \$1,000.00, an amount which was utterly inadequate for the necessary expense in the investigation and preparation of evidence.

The Grand Jury also reported irregularities in the conduct of the State Penitentiary and returned several indictments in connection therewith. The irregularities, both in the



Bureau of Highways and in the penitentiary, appear to be the outgrowth of practices which have been carried on for a number of years.

### The Van Vlack Case

Douglas Van Vlack, who was sentenced to death in February, 1936, after a trial upon a charge of murder, presented his petition to the Board of Pardons for a commutation of the death sentence to one of life imprisonment, which petition was denied. Shortly before the time set for execution, Van Vlack escaped from his guards, climbed to the top of the cell block and committed suicide by plunging to the cell floor below. Thus was concluded one of the most sensational murder trials in the history of the State.

### APPROPRIATIONS

Salaries and Extra Help.....	\$44,480.00
Services Other Than Personal.....	3,500.00
Supplies.....	800.00
Receipts.....	2.00
Equipment .....	1,450.00
Fixed Charges .....	200.00
	<u>\$50,432.00</u>
Contingent Fund.....	1,000.00

### DISBURSEMENTS AND BALANCES

	Expended	Balance
Salaries and Extra Help.....	\$38,848.98	\$5,631.02
Services Other Than Personal.....	1,753.09	1,746.91
Supplies .....	711.76	90.24
Equipment .....	987.75	462.25
Fixed Charges .....	109.45	90.55
Contingent Fund.....	934.53	65.47

(87½% of Biennium Elapsed)

## SELECTED OPINIONS

Opinions are rendered by the Attorney General's office upon receipt of written request. The following synopses do not cover all opinions rendered during the biennium, but give some indication of the scope of such requests. The Attorney General has made some effort to reduce the number of opinions rendered to other than State Departments and Prosecuting Attorneys. Precedent has permitted advice to private individuals, so that correspondence in that respect threatened to occupy our time unjustifiably. While the practice has not been eliminated, considerations of time require that it be at least reduced to a minimum.

### APPROPRIATIONS

1/11/37—State Auditor. Liabilities of the Fish and Game Fund or the Bar Fund accruing within two years prior to January 1, 1937, and accruing thereafter until the law is altered are payable from the continuing appropriation.

2/12/37—State Auditor. It is the duty of the State Auditor to charge against the continuing appropriation such claims as are not within the term administrative functions.

3/26/37—State Auditor. The items detailed in a budget appropriation prevail over the general declaration of total.

4/26/37—State Auditor. Fixed appropriations may be made in advance by legislatures, to remain in effect until subsequently modified by legislative act.

2/25/38—Fish and Game Warden. Federal funds granted State of Idaho for wildlife-restoration projects must be deposited in State treasury but may be paid out without legislative appropriation. Funds may be allocated out of present Game Department appropriations to match Federal funds.

### BEER

10/5/37—Commissioner of Law Enforcement. Is it legal for out-of state brewers to ship beer to licensed retailers, billing the shipment through Idaho wholesalers.

2/18/37—Governor. Comments on H. B. No. 130. Discrimination against the use in Idaho of beer manufactured in foreign states is within the prohibition of the Federal Constitution.

2/14/38—Jesse E. Pugsley. Beer retailer's license is not transferable. Applicant for such license need not appear in person before Commissioner of Law Enforcement.

5/17/38—Maurice Bujant. Right of city or village to regulate beer licenses.

6/3/38—Becker Products Company. Use of slogan "full legal strength" in connection with newspaper advertisement of brand of beer.

7/12/38—E. J. Bragg. Retail beer license fees must be uniform when governed by same ordinance.

**CITIZENSHIP**

1/25/37—Commissioner of Public Welfare. Can out-of-state person legally be appointed to an official or non-official position in the State of Idaho? What constitutes legal residence?

8/23/37—Department of Law Enforcement. Japanese citizen is ineligible to admission to practice medicine either by reciprocity or examination.

3/18/38—C. O. Botkin. Citizenship of ex-convict in U. S. South-western Reformatory in Oklahoma is controlled by law of that State.

5/29/37—Governor. Non-residents of this State may not hold public office in Idaho.

**COMPATIBILITY**

12/17/37—Harry A. Rogers. Offices of police judge and justice of the peace are not incompatible, but are poor public policy.

1/10/38—C. W. Poole. It is advisable for Prosecuting Attorney to withdraw from case which might be incompatible with duty as representative of state.

4/18/38—Joe R. Turk. Member of Idaho Legislature may not hold position with State Liquor Commission.

**CORPORATIONS**

4/10/37—Department of Law Enforcement. Reciprocity must be denied a Delaware corporation which is qualified as foreign corporation in both Idaho and Washington with respect to agreement between Washington and Idaho permitting use of Washington auto plates on its vehicles moving within State of Idaho.

1/6/38—Secretary of State. Right of Secretary of State to accept certain papers of Chase National Bank for filing under foreign corporation laws.

2/11/38—Occupational Licenses Bureau. A corporation may operate an optical store which is in charge of licensed optometrist. A corporation cannot practice optometry.

4/15/38—Wm. J. Costello. Foreign brewery corporation must comply with Idaho foreign corporation laws before selling to licensed Idaho retailers.

7/11/38—Public Utilities Commission. Must policies signed by operators engaged in interstate commerce—non-residents of Idaho—be countersigned by an Idaho resident agent?

**COUNTIES**

1/18/38—Willis C. Moffatt. County Commissioners may not alter boundaries of election precincts subsequent to their regular meeting in January preceding general election.

5/16/38—Gooding Leader. Public officer may not award printing contract to newspaper owned by him and leased to another party. County Commissioners may give printing to newspaper owned by another county officer.

6/27/38—M. L. Stephens. Procedure to strike from one county certain land and annex it to another county.

**ELECTION**

11/9/37—F. F. Kimball. Does a party holding an escrow contract for the purchase of real property, which contract is not of record, come within the statutes as a taxpayer? Does the devisee of an undistributed estate, which estate pays taxes, entitle the devisee to vote?

5/17/38—Harry A. Rogers. When a cross is placed at the head of one party ticket and also opposite the name of a candidate on the other party ticket, both candidates lose the vote.

8/2/38—J. P. Reed. Properly registered citizen, minor, may vote at nominating election if he will be 21 prior to date of general election.

8/31/38—Thomas Y. Gwilliam. May candidate for Prosecuting Attorney not qualified at time of primary election have his name on ballot at general election.

**FAIR TRADE**

5/31/37—William S. Hawkins. Anti-price discrimination act is not applicable to cities, counties or the State.

10/30/37—T. M. Smith. Enforcement of Fair Trade and Anti-price discrimination Acts of 1937.

**FISH AND GAME**

10/2/37—Fish and Game Warden. Beaver may not be transported from Wyoming to Idaho for sale to Idaho fur dealers.

10/5/37—Fish and Game Warden. Hunting of elk and deer. Special hunts. Drawing in connection with Fremont Game Preserve.

4/22/38—Fish and Game Department. Trout or fish taken outside state may be sold over counter. Same taken within state may not be sold.

5/19/38—Fish and Game Department. An order under 35-1401 closing open season on muskrats would not abrogate Ch. 108, 35 S. L.

**GAMBLING**

2/15/38—Teton Valley Power & Milling Co. It is unlawful for a manufacturer to put coupons in bags of flour, nor can cash or merchandise be placed in such bags.

3/1/38—W. E. Thomas. There is no legal restriction of membership of a social organization. Officer has right to secure evidence of gambling taking place within such social organization.

**GOVERNOR**

4/5/37—Governor. Crippled Children Program can be carried out under H. B. 170 (24th Session) as a state matter solely. No opinion given as to constitutionality of Act.

4/26/37—Governor. Governor is authorized to allocate the functions and duties of the officers within the Department of Public Welfare.

8/23/37—Scott Erwin. Rights of workers to strike in this state. Governor's duty in relation thereto.

**INSTITUTIONS**

6/23/37—Department of Public Welfare. Qualifications of Superintendent of State Hospital.

9/2/37—Director of Public Health. Department of Public Welfare may enter into contract with hospitals in Idaho when certain operations cannot be performed at the State institutions.

9/8/37—Penitentiary. Hours in working day of officers and employees of State Penitentiary.

9/28/37—Governor. Governor's power to purchase medical equipment for State Hospital South.

11/9/37—State Superintendent. Board of Trustees of State Normal School may not dispose of buildings which are a part of state lands. Board of Land Commissioners has this exclusive right.

12/8/37—Director of Charitable Institutions. Medical Superintendent of State Hospital North is proper person to receive and administer compensation payments from United States on behalf of an incompetent in that institution.

12/14/37—State Superintendent. Sale of used equipment of University must be made under rules of Board of Regents; permission of Board of Examiners not necessary. Proceeds of sale should be paid to Treasurer of University.

4/23/38—Director of Charitable Institutions. Superintendent in charge of Charitable Institutions may accept money from friends or relatives of patients for purchase of clothes or other expenses, if expenditures be properly accounted for.

5/31/38—Director of Charitable Institutions. A fee of \$100 per month may not be exacted as consideration for accepting patient into State Medical Hospital.

6/24/38—Department of Public Welfare. Without special legislative authority, the Department of Public Welfare may not sell or lease land belonging to State Hospital North.

7/13/38—Penitentiary. Cost of conveyance of a convict to the penitentiary must be paid from penitentiary funds. Authority cannot be delegated to a sheriff to bring convict to penitentiary.

**INSURANCE**

4/26/37—Industrial Accident Board. Children born and raised in foreign country, whose parents are United States citizens are entitled to full compensation under Workmen's Compensation Law.

7/24/37—Director of Insurance. Title 40, Ch. 16, I. C. A. as related to reciprocal insurers.

11/16/37—A. P. Drissen. A Highway District is not exempt under the terms of the Unemployment Compensation Law.

12/6/37—Bureau of Insurance. It is unlawful for a lending company to require a borrower to cancel insurance and insure with the lender or the company it represents.

1/5/38—Commr. Finance. State Bank is limited in aggregate of money which it may loan on real estate mortgages insured by FHA.

2/15/38—Director of Insurance. Rate schedule becomes effective upon filing, without approval of Director of Insurance. Deviation

filings made prior to general rate schedule do not apply to new schedule. Filing of deviations by fire insurance companies.

3/22/38—State Superintendent. School Board must advertise for bids to purchase fire insurance amounting to more than \$500.

3/26/38—Director of Insurance. Deviation from Idaho Surveying and Rating Bureau rate schedule of 25% reduction in general insurance policies is not a violation of Sec. 40-1612 or 40-1608.

9/13/38—Chas. Scoggin. Volunteer fire department and its relation to Workmen's Compensation Act.

#### JUSTICE OF THE PEACE

1/7/38—Willis C. Moffatt. Justice of Peace is not entitled to fee for docketing criminal case where no plea has been made or entered.

9/8/38—Howard Snoke. Small claims courts of Idaho have jurisdiction in cases to recover damages arising from auto collision. Payee may recover in small claims court from drawer of no account check.

#### LABOR

4/21/37—Calvin A. Martin. Employees of Lewiston Normal School are governed by statutes dealing with labor laws and investigation should be demanded if laws are being violated.

4/26/37—A. W. Galipeau. State Highway Dept. comes under provisions of Ch. 140, 35 S. L. relative to hiring and payment of employees. Employee may recover difference if he has received less pay than that provided for by Ch. 140, 35 S. L.

6/30/37—Orlo W. Krauter. Regulatory laws governing child labor.

7/23/37—Vernon R. Johnson. Employment of minors about electric wires, explosives or mines.

9/10/37—R. H. Snyder. Labor to be used in construction and repair of buildings at Albion State Normal School.

#### LICENSES

4/26/37—Commissioner of Law Enforcement. Rural mail carrier residing in Washington and serving a route which is partly in Idaho is not subject to motor vehicle license in Idaho.

4/26/37—Commissioner of Law Enforcement. Residents of Washington who work across Idaho line must purchase license plates in Idaho after a period of 60 days. Montana citizen who transports films by car for weekly showing in Idaho must purchase Idaho license plates.

5/17/37—Commissioner of Law Enforcement. Out of State car dealer may purchase an Idaho dealer's license without establishing a place of business in Idaho unless the dealer is a corporation. Out-of-state dealer should remove out-of-state licenses from car sold into Idaho. A truck which is leased to lumber company by owner who is employed by said company, should carry private license.

2/2/38—Idaho Reciprocity Commission. Opinion on powers of Reciprocity Commission and effect on it of Ch. 120, 37 S. L.—Licensing of P. U. C. truck.

3/10/38—Emmett Brown. Resident of another state, while in government service in Idaho, must purchase Idaho Motor Vehicle License plates.

4/25/38—Ralph J. Davis. Club which secures unrestricted state license for boxing matches may use same license throughout the state.

5/9/38—Leslie R. Wyman. Registration of foreign motor vehicle immediately before becoming gainfully occupied in Idaho—Date from which classification as resident for license purposes should be computed.

5/17/38—Maurice Bujant. Right of city or village to regulate beer licenses.

5/26/38—Leo L. Robertson. Retail drug store which freezes previously prepared ice cream mix is subject to license tax as "ice cream factory."

#### MORTGAGES

9/21/37—Land Department. State Land Dept. is proper authorized agency of state to care for state's interest in foreclosed lands during redemption period.

11/30/37—Dept. Public Investments. Does Dept. Public Investments have power to extend time of payment of loan made on improved farm lands without first receiving full payment of loan?

#### MOTOR VEHICLES

4/25/38—Conroy Gillespie. Right of city marshal to make arrest for traffic violation on state highway when offense was committed within city limits.

4/26/38—Dept. Law Enforcement. Procedure when Commissioner of Law Enforcement has cause to believe that operation by individual of motor vehicle on Idaho highways is inimical to public safety.

#### PUBLIC FUNDS

1/7/37—Land Department. Has State Board of Land Commissioners or Commissioner of Public Investments legal authority to reduce interest on general obligation bonds held by Department of Public Investments?

2/10/37—Thomas Y. Gwilliam. In case of excessive premium charged by surety company, Board of County Commissioners should allow claim in amount warranted by statutes. If surety company refuses to accept this amount, it may appeal or seek release from liability and termination of bond.

3/13/37—State Auditor. President of Senate and Speaker of House may not receive compensation for time served in legislature subsequent to adjournment.

5/28/37—Governor. Right of Department of Public Welfare to receive moneys in trust from U. S. and to keep same in banks, separate from State moneys; distribution of same.

7/19/37—Governor. Funds allotted by Public Health Service to Idaho to be used for paying stipends, tuition and traveling expense.

7/27/37—Department of Public Assistance. County Commissioners who are on Welfare Board may not be paid by State for expenses incurred.

8/5/37—State Superintendent. Surplus in H. S. Tuition fund may not be transferred to general fund.

8/20/37—E. W. Whitcomb. County Commissioners are without authority to lease fairgrounds to American Legion, to levy tax for paying fair prizes, or to give any financial assistance whereby public funds would be used for benefit of private enterprise.

2/23/38—S. H. Atchley. County Commissioners may not issue warrants to aid in completing County Hospital when there is no levy or budgetary provision for same.

3/28/38—Department of Public Assistance. Personnel requirements, disposition of relief funds, of Department of Public Assistance.

6/3/38—Superintendent of Public Instruction. National banks in Idaho may secure State University or other educational deposits.

6/24/38—Ben B. Johnson. County may make adjustments to municipalities where in the past over-payments have been made under Liquor Control Act.

6/28/38—John J. Peacock. Construction of new court house should not be begun with funds on hand unless bond election has been had approving necessary balance to be expended.

7/5/38—State Treasurer. Money remitted to the United States Treasury and placed in the unemployment trust fund from State of Idaho should be handled and treated by State Treasurer as State funds on hand.

7/19/38—Carroll C. Clark. Board of Trustees of Independent School District may enter into contract for transportation of pupils for period of one school year only.

7/19/38—Department of Education. Responsibility of State Board of Education with respect to school audits.

7/20/38—Clency St. Clair. University funds may be deposited by State Treasurer, who is the treasurer of the Board of Regents, in any national bank doing business in Idaho which has complied with Ch. 26, Title 65, I. C. A.

8/23/38—State Superintendent. If the title of dormitory projects is held by building associations, it would be unlawful to pay premiums on insurance policies, taken in the name of said building associations from State moneys belonging to said educational institution.

8/22/38—State Superintendent. Funds deposited by Bursar of U. of I. in national banks—State banks—secured under State depository laws?

#### PUBLIC WORKS

3/26/37—State Auditor. Question of whether or not Commissioner of Public Works must supervise construction or repair work of State Liquor Commission must be determined by individual case.

4/2/37—A. B. Carscallen. State may prescribe penalty for failure to complete a contracted job on time. Bonus may not be allowed for completion of job ahead of time.

9/23/37—Hastorf, Inc. Contractor may not submit bid on State work without having license.

10/5/37—State Auditor. Opinion on validity of agreement between certain State officers and Richardson architects, re: building construction at State Hospital South.



10/28/37—Commissioner of Public Works. Closing of a railroad grade crossings on State highways after grade separation structures have been constructed in the vicinity.

12/10/37—State Auditor. Legality of contract with Wayland & Fennell, arc itects, for work in connection with new buildings at State School at Nampa.

4/18/38—Governor. Legal right of State, through Department of Public Works, to lease Twin Falls-Jerome intercounty bridge and to acquire option for purchase of same.

4/20/38—Commissioner of Public Works. State Highway Department has power to acquire land and build structures necessary for safekeeping of equipment and machinery.

8/10/38—Commissioner of Public Works. Measurement of subbase material for payment under contract.

#### PURCHASES

3/29/37—State Purchasing Agent. Purchasing Agent may allot contract though only one company submits bid, if other provisions of law are complied wit .

7/24/37—Commissioner of Law Enforcement—Purchasing Agent. Authority for purchase of stamp cancellation machines by state.

4/21/38—State Purchasing Agent. It is unlawful to purchase merchandise manufactured in penal institutions of other states for use in Idaho.

#### SCHOOLS

2/8/37—State Superintendent. A teacher is entitled to compensation for a period during which school is closed for reasons beyond control of teacher. State Board of Education must interpret inconsistent provisions of law relative to making apportionments from county school fund.

6/3/37—State Superintendent. Board of Trustees may not withhold credits from pupils because of failure of parents to pay for textbooks used.

8/6/37—Frank G. Burroughs. It is mandatory for school trustees to publish report of financial condition of school district in a newspaper of general circulation.

9/15/37—State Board of Education. Physical disability may not exclude child from public school if he be free from mental and physical disease.

10/25/38—State Superintendent. Children of Federal employees residing on United States Military Reserve (Boise Barracks) may not receive free schooling from Boise Independent School District.

1/21/38—Superintendent of Public Instruction. Credits and teaching experience once acquired by teacher may always be used by applicant for teaching certificate. In order to secure first grade certificate, applicant must pass satisfactory examination in subjects now required for such.

3/18/38—State Superintendent. Certain questions pertaining to school district elections—qualifications of voters, etc.

3/22/38—State Superintendent. Necessity of election when it is desired to annex a lapsed district to an existing district.

5/16/38—G. F. Lacy. Transportation of pupils living more than 1½ miles from school in another district which is without a school.

7/21/38—State Superintendent. County Superintendent does not count ballots. Appointment to Idaho School district which has pupils attending out-of-State districts. Border district arrangements with out-of-State district. When only one teacher is employed, only one classroom unit shall be allowed. Board of Education may use 5-mill levy for transportation purposes of High School students. County Commissioners cannot make school district levy. Wards of Federal government should be included in average daily attendance of schools they attend.

#### SECRETARY OF STATE

8/12/37—Secretary of State. Public officers and deputies are required to take an oath of office. Employees are not so required.

11/26/37—Secretary of State. Is a trade mark registered in the United States Patent Office recognized as a trade mark in Idaho or must it also be filed as a trade mark in this State?

6/20/38—Secretary of State. Petitions for nomination filed with Secretary of State are public records and may be inspected and copies thereof made by any candidate or citizen.

7/7/38—Secretary of State. Procedure of county recorder when he does not have the registration oaths in certifying the signatures of electors who have signed a referendum or initiative petition.

#### TAXATION

1/29/37—F. L. Dorman. May real property of incorporated city or village not used for governmental purposes, rented to other parties, be assessed for taxation purposes?

3/20/37—Unemployment Compensation Division. Tax provided for by 23rd Session of Legislature must be collected until effective date of repealing law passed by 24th Session.

3/22/37—Tax Commissioner. Income tax is tax on gain and not on recoupment of losses.

4/14/37—Ralph Litton. County not obligated to pay delinquent water assessments against tax-deeded land. County has right to tax-deed land, which land has been foreclosed upon by irrigation company. County does not have authority to pay current water assessments upon land which it has acquired by tax deed.

4/20/37—J. C. Jensen. When a county has taken tax deed and then sold property and issued county deed, whether to former owner or another, all taxes including delinquent drainage district taxes are cancelled.

4/30/37—Emmett Donahue. County Commissioners may not accept a portion of taxes owing and cancel balance—the sole reason for non-payment of balance being inability to pay.

6/3/37—Department of Finance, Inheritance Tax Division. Transfers of intangible securities are taxable as of date of death.

7/3/37—State Auditor. Taxes due under Sales Tax Law, but uncollected prior to its repeal, should, when collected, be paid into Co-operative Emergency Revenue Fund.

7/12/37—L. F. Ingersoll. Employees are not entitled to refund of taxes paid prior to March 18, 1937, under Idaho Unemployment Compensation Law.

7/14/37—Roy D. Leonardson. Qualification for exemption from taxation by woman who becomes widow between January and July.

8/5/37—Governor. Consent by United States to Governor's request is necessary before county assessor may examine records of income tax returns for assessment purposes.

9/30/37—J. E. Smith. Personal property owned by individual, situated in National Park may be taxed by county.

10/30/37—Department of Law Enforcement. Southern Idaho Timber Protective Association is not a governmental agency and may not be exempt from motor fuels tax.

12/22/37—Income Tax Division. Computation of gains and losses for income tax purposes on sale of property acquired before July 1, 1931.

4/22/38—Director of Income Tax Division. Interest on deficiency income tax payments is in fact a penalty where it exceeds 6 per cent, and may be compromised.

9/7/38—Department of Law Enforcement. Owners or operators of a mine who actually work at the operation are entitled to a reasonable salary allowance as deductible tax item.

9/9/38—Oneida County Treasurer. If record owner of property be deceased, personal service of issuance of tax deed must be attempted. Insane person confined in State institution may be served by registered mail.

#### MISCELLANEOUS

1/29/37—Inspector of Mines. May owner of mining claim acquire right-of-way across lands of mining claims of others when right-of-way is necessary in working his own claim?

3/9/37—George J. McFadden. Sec. 49-703, I. C. A., though in conflict with Sec. 49-1501, is controlling statute as related to the tenure of office of village trustees.

4/5/37—State Auditor. Comments on H. B. 265.

4/26/37—Commissioner of Finance. Waivers and agreement of non-disturbance cannot legally be made by any State officer on behalf of the State.

5/17/37—W. A. Boice, Department of Agriculture. When milk is delivered to creamery by contract hauler, liability for law violation is a question of fact. Same can used to carry whole milk to creamery may be used to return skimmed milk to producer. Department of Agriculture has no authority to place condemnation tags on cream cans which are not sound, smooth, free from rust, etc.

5/26/37—M. A. Pierce. Jurisdiction of municipalities over highways should extend only to the corporate limits of the municipality.

5/27/37—State Auditor. Legality of a State car pool.

6/9/37—Department of Reclamation. Application of City of Sandpoint to appropriate water from Priest Lake and Priest River for power purposes.

6/18/37—Joel L. Priest. Copy of brand inspection certificate should be annexed to copy of waybill for permanent record in the files at point of origin.

7/2/37—Public Welfare Department. Department of Public Welfare has no authority to purchase land and improvements under Ch. 253—37 S. L.

7/3/37—Commissioner of Reclamation. Interpretation of District Court ruling which conflicts with procedure set out in Ch. 145—35 S. L.

7/7/37—R. E. Whitten. A qualified person (W. W. Thom) is entitled to assistance under the Public Assistance Law though he has an income of \$21 per year.

7/23/37—Public Utilities Commission. Idaho Power Company rate schedule.

8/4/37—Public Utilities Commission. Village water supply company may refuse to connect an applying customer with its water system when the use would be outside the village limits. P. U. C. has no jurisdiction in the premises.

8/23/37—Bettie Ezell. Members of sheep commission and predatory animal board are required to file a bond for each office.

9/21/37—B. H. Smith. Disposition of money found on person of insane person.

10/11/37—George R. Bailey. Jurisdiction of Probate Court over Indian children living on reservation but attending school off reservation.

12/4/37—Matilda Moser. Powers and duties of Board of County Commissioners acting as Board of Health and duties of County physician and Health officer—compensation.

8/6/37—Land Commissioner. Powers, duties and authority of State Board of Land Commissioners. Board may not legally accept promissory note as collateral for delinquency owing.

1/6/38—Commissioner of Law Enforcement. Church organizations may bury dead without obtaining embalmers license or being subjected to governmental supervision.

1/13/38—George W. Davidson. Neither Prosecuting Attorney nor County Commissioners may appoint a special prosecutor, but he may be appointed by the District Court in open court.

2/16/38—J. H. Allen. Powers and limitations of police magistrates in Idaho.

3/17/38—Durham & Hyatt. Department of Public Investments has no authority to accept payment of bonds before maturity.

3/22/38—Charles T. Cotant. Court's decision necessary to determine if drinking intoxicating liquor in an automobile is "drinking in a public place."

4/13/38—Thornton J. Davis. Charge on obligation paid before maturity may be same as it would be if obligation were allowed to run until maturity, without being usurious.

4/19/38—M. Homling. Oleomargarine may be sold in any form and under any name if it is not misleading as to its true character. (Nuspread).

5/5/38—Department of Law Enforcement. Rights of Department of Law Enforcement with respect to enforcement of Ch. 72—37 S. L. dealing with prophylactics and contraceptives.

5/18/38—Department of Agriculture. Extracted honey is an agricultural product.

7/12/38—National Women's Party. Resume of laws pertaining to Women's Rights.

7/13/38—Federal Bureau of Investigation. Officials under Department of Law Enforcement have right to fingerprint persons arrested by them.

8/29/38—Forest Supervisor. Injunction action is not a prerequisite to the authorization by the warden of disposal of slash at expense of timber owner.

9/6/38—Prosecuting Attorney. If traffic officer arrests and requests confinement in jail of traffic violator, it is duty of sheriff to do so.

9/6/38—H. E. Detwiler. Rights of Village Board with respect to contracting for material.

9/8/38—State Auditor. Postmasters are not authorized to administer oaths to deputy game wardens on their salary claims. Such claims should not be submitted on other than payroll voucher.

**DOCKET****Civil****INTERNATIONAL JOINT COMMISSION (Pending)**

- 300—Application of West Kootenay Power and Light Company, Ltd. Permission to construct and operate certain permanent works in and adjacent to the channel of the Kootenay River, for storage purposes.

**Civil****BEFORE THE P. U. C. of the State of Idaho (Pending)**

- 831—State of Idaho ex rel. J. W. Taylor, Attorney General vs. Union Pacific Railroad Company, a corporation, and Oregon Short Line Company, a corporation.

**Civil****PROBATE COURT (Pending)**

- 705—In the Matter of C. S. Flint, Mental Incompetent, Everett E. Hunt, Guardian. Re: Proceeding to recover for maintenance.
- 893—State of Idaho ex rel. J. L. Balderston, Commissioner of Law Enforcement vs. Henry H. Estill, sometimes known as H. H. Estill. Re: Collection of overpayment of refund gas tax.
- 930—In the Matter of the Estate of Henry Meyer, deceased.

**Civil****PROBATE COURT (Closed)**

- 809—In the Matter of the Estate of Beatie Baumgart, deceased. Re: Order determining rights of non-resident alien heirs.
- 916—In the Matter of the Estate of Thomas Bolling and David Lambert.

**Civil****U. S. DISTRICT COURT (Pending)**

- 595—In the Matter of Kountze Brothers, Bankrupts. Re: Claim of State of Idaho.
- 891—United States of America vs. State of Idaho Members of the State Board of Land Commissioners. Re: Condemnation of lands.

**Civil****U. S. DISTRICT COURT (Closed)**

- 829—United States of America vs. Frederick J. Fuller and the Federal Land Bank of Spokane, a corporation. Re: Easement.
- 842—Seattle First National Bank, a national banking association, vs. Ira H. Masters, Secretary of State of the State of Idaho, and J. W. Taylor, Attorney General of the State of Idaho.
- 843—Seattle First National Bank, a national banking association, vs. Ira H. Masters, Secretary of State of the State of Idaho, and J. W. Taylor, Attorney General of Idaho.
- 844—United States of America vs. George W. Fenton, et al, (including State of Idaho). Re: Condemnation of right-of-way.

## Criminal

## U. S. DISTRICT COURT (Pending)

- 818—United States of America vs. Floyd W. Hall, sometimes known as F. W. Hall, and Gladys Hall, his wife; The State of Idaho, a body politic and corporate; John W. Condie, Barzilla W. Clark, Ira H. Masters, J. W. Taylor and Harry C. Parsons, et al. Re: Right of Eminent Domain.

## Civil

## SUPREME COURT OF THE STATE (Pending)

- 730—Geo. B. Wallace, Inc., a corporation, Wentworth & Irwin, Inc., a corporation, Raymer Motor Company, a corporation, and D. E. Wallace, doing business under the trade name and style of Wallace Brothers, for and in behalf of themselves and all others similarly situated, vs. Emmitt Pfost, as Commissioner of Law Enforcement of the State of Idaho.
- 741—State of Idaho on the relation of Emmitt Pfost, Commissioner of Law Enforcement, vs. Boise City, a municipal corporation. Re: Collection of gas tax.
- 742—In the Matter of the Application of Floyd Sandusky for a Writ of Habeas Corpus. Re: Murder.
- 811—W. L. Robison, G. W. Suppiger and Frank Langley, constituting and acting as the Industrial Accident Board of the State of Idaho, vs. Myrtle P. Enking, State Treasurer, and Harry C. Parsons, State Auditor. Re: Transfer of funds.
- 813—State of Idaho vs. Gust Paris. Re: Revocation of barber license.
- 903—State of Idaho ex rel. J. W. Taylor, Attorney General of the State of Idaho, vs. W. L. Robison, G. W. Suppiger and Frank Langley, constituting and being the Industrial Accident Board of the State of Idaho, and Myrtle P. Enking, State Treasurer. Re: Writ of Prohibition to prohibit funds drawn from Workman's Compensation Fund in violation of the Constitution.
- 915—Ada County, a municipal subdivision of the State of Idaho, in relation of C. C. Kendall, Chairman of the Board of County Commissioners of Ada County, and C. C. Kendall, as a taxpayer of said Ada County in behalf of himself and all other taxpayers similarly situated, vs. Barzilla W. Clark, Governor of the State of Idaho, Ira H. Masters, Secretary of State, J. W. Taylor, Attorney General, Harry C. Parsons, Auditor, Myrtle P. Enking, Treasurer, as members of the State Board of Equalization of State of Idaho. Re: Writ of Prohibition to enjoin State Board of Equalization from assessing lands.

## Civil

## SUPREME COURT OF THE STATE (Closed)

- 724—United Mercury Mines Company and Yellow Pine Company, vs. Emmitt Pfost, Commissioner of Law Enforcement, and Bert H. Miller, Attorney General. Re: Mine Tax Act.
- 757—In the Matter of the Application of William J. Humphrey, for Writ of Habeas Corpus. Re: Alleged Illegal Incarceration.

- 774—State of Idaho vs. Everett E. Hunt, District Judge. Re: Application of Writ of Review.
- 798—State of Idaho ex rel. Henry Hansen vs. Harry C. Parsons, State Auditor of the State of Idaho.
- 804—State of Idaho vs. Louis Stevens.
- 806—J. W. Taylor, Attorney General of the State of Idaho, vs. J. L. Balderston, Commissioner of Law Enforcement of the State of Idaho, and G. B. Crane, State Purchasing Agent of the State of Idaho.
- 808—State of Idaho ex rel. G. E. McKelvey, Commissioner of Public Works vs. E. O. Styner and Harriet A. Styner, husband and wife, Harry Frazier and Agnes G. Frazier, husband and wife. Re: Condemnation suit.
- 810—State of Idaho vs. Merrill Horton Abell.
- 814—Glenn I. Mundell vs. C. A. Swedland.
- 819—In the Matter of Application of Ed Little and Louis Sukert for a Writ of Habeas Corpus.
- 830—State of Idaho ex rel. Barzilla W. Clark, Governor, and Barzilla W. Clark, Ex-Officio Commissioner of Public Welfare of the State of Idaho, and Barzilla W. Clark, a resident taxpayer, vs. Alexander Barclay, Eugene Worley, Agnes Just Reid, R. L. Nourse, Mrs. Rowland Hodgins, constituting and as the Governor's Committee for designation of a Tuberculosis Hospital site under Chapter 204, 1937 Session Laws. Re: Tuberculosis hospital site.
- 836—State of Idaho, on the relation of Rex Smith, Deputy Warden, Idaho State Penitentiary vs. William H. Gess. Re: Removal from office as warden of penitentiary.
- 841—State of Idaho ex rel. J. W. Taylor, Attorney General of the State of Idaho vs. Ira J. Taylor, Commissioner of Public Works of the State of Idaho, and C. C. Kendall, Ed Young and Charles Drake, County Commissioners of the County of Ada, State of Idaho. Re: Construction and improvement of 11.4 miles of county road in Ada County, Idaho.
- 931—Harry L. Fisher, vs. Ira H. Masters, Secretary of State of the State of Idaho, Barzilla W. Clark, Governor of the State of Idaho, Harry C. Parsons, Auditor of the State of Idaho, Myrtle P. Enking, Treasurer of the State of Idaho, and J. W. Taylor, Attorney General of the State of Idaho, constituting the State Board of Canvassers of the State of Idaho, and Ira H. Masters, Secretary of the State. Re: Election.

#### Criminal

##### SUPREME COURT OF THE STATE (Pending)

- 805—State of Idaho vs. Earl Goldizen. Re: Involuntary manslaughter.
- 815—State of Idaho vs. Martin Vanek and Charles Vanek. Re: Burglary.
- 838—State of Idaho vs. Paul Martin Boyatt. Re: Manslaughter.



## Criminal

## SUPREME COURT OF THE STATE (Closed)

- 743—The State of Idaho vs. Douglas Van Vlack. Re: Murder of the first degree.
- 745—State of Idaho vs. Lovell Howard. Re: Murder.
- 749—State of Idaho vs. Leslie Yokey and Jack Allen. Re: First degree burglary.
- 753—State of Idaho vs. George D. Wilding. Re: Battery.
- 754—State of Idaho vs. Cliff Davis. Re: Grand Larceny.
- 756—State of Idaho vs. Melvin Archer.

## Civil

## DISTRICT COURT (Pending)

- 318—Twin Falls North Side Investment Company vs. Henry O. Kissinger, (Alias H. O. Kissinger) and Mrs. Henry O. Kissinger, his wife, et al. Re: Foreclosure of mortgage.
- 535—Standard Oil Company of California, a corporation, vs. Idaho Community Oil Company, a corporation, et al. Re: Collection of motor fuels tax due State.
- 544—E. J. McKinley and E. H. Hillman vs. R. W. Faris, Commissioner of the Department of Reclamation of the State of Idaho. Commissioner's refusal to correct Permit No. R-482, and application for Writ of Mandate.
- 571—Boise Trust Company, a corporation, vs. Ada County, R. D. Leonardson, as Assessor and Tax Collector of personal property taxes of Ada County, Idaho, and Janet A. Ketchen, as County Treasurer of Ada County, Idaho. Re: Bank tax case.
- 637—Nampa & Meridian Irrigation District vs. William E. Welsh, Watermaster of Water District 12-A of the State of Idaho, and Drainage District No. 4 of Ada County, Idaho, and its Board of Commissioners. Re: Summary Adjudication.
- 659—Department of Public Works of the State of Idaho, Department of Finance of the State of Idaho and Frank Hall vs. Tom Watson. Re: Condemnation.
- 666—State of Idaho, ex rel. Bert H. Miller vs. The Family Mutual Benefit Association, Inc., a de facto corporation. Re: Quo Warranto Proceedings.
- 696—First Trust Company of St. Paul, Minnesota, a corporation, vs. M. H. Woods and Belle J. Woods, his wife, et al. Re: Bonds.
- 731—Ed M. Clark vs. Franklin Investment Co., a corporation, et al. Re: Action to quiet title.
- 732—Florence R. Cowley vs. Nicholas Lamberson, et al. Re: Action to quiet title.
- 736—F. A. Randall vs. The Butte and Market Lake Canal Co., a corporation, J. D. Kennedy, Lawrence Poitevin, H. B. Sheppard, individual and as director and trustee of the Farm Credit Cor-

- poration, a defunct corporation, State of Idaho, and R. W. Faris, Commissioner of Reclamation.
- 740—Red Fir Mining Corporation, a corporation, vs. S. M. McKee and Mary McKee, husband and wife; and Steward McKee and R. W. Faris, as Commissioner of Reclamation of the State. Re: Water Adjudication.
- 755—Peterson Motor Company, a corporation, vs. Emmitt Pfof, as Commissioner of Law Enforcement of the State of Idaho. Re: Injunction against Caravan Tax.
- 771—J. B. Ploeger and J. E. Durant vs. H. N. Woodard, Mary A. Woodward and the State of Idaho. Re: Action to quiet title.
- 773—State of Idaho, on the relation of Ben Diefendorf, Commissioner of Finance, and Harry C. Parsons, State Auditor, vs. Jack McQuade, Assignee for the Benefit of Creditors of W. L. Michelson of Moscow, Idaho. Re: Failure to remit sales tax.
- 755—Peterson Motor Company, a corporation, vs. Emmitt Pfof, Commissioner of Law Enforcement, State of Idaho. Re: Injunction against Caravan Tax.
- 778—Hugh E. Howard vs. Irwin C. Cook and Ina R. Cook, husband and wife, and State of Idaho. Re: Action to quiet title.
- 788—Ellen Nugent, et al. vs. State of Idaho, et al. Re: Action to quiet title.
- 791—State of Idaho, on the relation of Harry C. Parsons, State Auditor of the State of Idaho, and J. W. Taylor, Attorney General of the State of Idaho, vs. J. F. Martin, G. E. McKelvey, Aetna Casualty and Surety Company, a corporation, and United Pacific Casualty Insurance Company, a corporation.
- 794—State of Idaho, ex rel. Harry C. Parsons, State Auditor, and J. W. Taylor, Attorney General, vs. J. F. Martin, G. E. McKelvey and Aetna Casualty and Surety Company, a corporation.
- 796—The People of the State of Idaho, ex rel. J. W. Taylor, Attorney General, vs. J. H. Stemmer.
- 803—Robert W. Peterson, as Administrator with will annexed of the Estate of N. Williamson, deceased, vs. The State Board of Education and Board of Regents of the University of Idaho, a body corporate. Re: Quieting title.
- 816—Irving W. Bonbright, Irving W. Bonbright, Jr., O. B. Perry and R. F. Lewis, doing business under the firm name and style of Jordan Creek Placers, vs. John L. Balderston, Commissioner of Law Enforcement of the State of Idaho, and J. W. Taylor, Attorney General of the State of Idaho. Re: License tax on mining.
- 820—Ora Roselle vs. J. L. Balderston, as Commissioner of Law Enforcement of the State of Idaho. Re: Violation of Beer Act.
- 821—Sperry Flour Company, a corporation, vs. J. A. Sorensen. Re: Levy on real estate.
- 822—E. A. M. Mitchell, for herself and of all other persons similarly situated and united in interest, vs. State of Idaho and George W. Wedgwood, Commissioner of Public Investments. Re: Declaratory Judgment.

- 823—State of Idaho, ex rel. J. W. Taylor, Attorney General, vs. Idaho Mutual Benefit Association, Inc., a corporation. Re: Assessment dues.
- 825—J. W. Taylor vs. George Wedgwood, as Commissioner of Public Investments of the State of Idaho. Re: 10% interest case.
- 827—State of Idaho, on the relation of Harry C. Parsons, State Auditor, and J. W. Taylor, Attorney General, vs. Landes Tractor & Equipment Company, a corporation, G. E. McKelvey, J. H. Stemmer, Columbia Casualty Company, a corporation, United Pacific Casualty and Insurance Company, a corporation. Re: Lease purchase agreements.
- 832—The State of Idaho vs. Ronald V. Cranston and Ford C. Cliff. Re: Sunday closing law.
- 833—P. C. O'Malley, vs. Harry C. Parsons, State Auditor of the State of Idaho.
- 835—George Vogt, et al. vs. Myrtle P. Enking, Treasurer, Harry C. Parsons, Auditor, Guy Graham, Commissioner of Agriculture, et al. Re: Declaratory Judgment.
- 839—Century Distilling Company, a corporation, vs. George W. Wedgwood, as Tax Commissioner of the State of Idaho. Re: Income tax on liquor.
- 845—State of Idaho, ex rel. Harry C. Parsons, State Auditor, vs. Angus Pond, doing business as Pond Auto Company, and Dairy Finance Company, a co-partnership composed of T. B. Smith and J. K. Smith. Re: Foreclosure.
- 846—State of Idaho, ex rel. George W. Wedgwood, Tax Commissioner of the State of Idaho, vs. Mesa Sheep Company. Re: Failure to file income tax.
- 861—United States of America vs. T. G. Somermeier, et al. and State of Idaho. Re: Title of lands.
- 862—State of Idaho vs. The Boise Club, a non-profit corporation, and Dan Bilboa, its manager, and Lloyd M. Willis, Florence Holland Farnsworth, Franklin K. Vernoy, Trustees of and for the heirs of the Broadbent Estate, and Harry K. Fritchman, their agent. Re: Writ of Injunction.
- 866—In the Matter of the application of Walter Miller, sometimes known as Walter Mathis, for Writ of Habeas Corpus. Re: Application for pardon, life imprisonment.
- 873—State of Idaho, ex rel. Harry C. Parsons, State Auditor, vs. J. H. Stemmer, G. E. McKelvey, and R. L. Bair and W. J. Smith co-partners under the firm name and style of Triangle Construction Company.
- 886—State of Idaho, ex rel. George W. Wedgwood, Tax Commissioner of the State of Idaho, vs. Laurence B. Lyman. Re: Income tax collection.
- 887—State of Idaho, ex rel. George W. Wedgwood, Tax Commissioner of the State of Idaho, vs. Roger Murphy and Katherine Murphy. Re: Income tax collection.

- 888—State of Idaho, ex rel. George W. Wedgwood, Commissioner of Public Investments of the State of Idaho, vs. Independent School District No. 1, County of Twin Falls, State of Idaho. Re: Bond interest collection.
- 896a—Ora Roselle, Floyd Sorenson, George Paskins, Nick LeseKatos, Steve Cacavas, Forrest Stipe, Kelly Kinnersley, Richard Tufts, and Leland Tufts vs. J. L. Balderston, Commissioner of Law Enforcement. Re: Violation of Beer Act.
- 897—E. S. Stallings vs. J. L. Balderston, Commissioner of Law Enforcement of State of Idaho. Re: Violation of Beer Act.
- 898—C. H. Criddle vs. J. L. Balderston, Commissioner of Law Enforcement of the State of Idaho. Re: Violation of Beer Act.
- 901—Herman Norbey vs. Department of Public Works, a corporation, Allen C. Merritt, Commissioner, and E. A. Johnston, District Engineer.
- 932—State of Idaho, ex rel. J. W. Taylor, Attorney General of the State of Idaho, vs. Ira H. Masters, Secretary of State of the State of Idaho, and Harry C. Parsons, State Auditor of the State of Idaho.
- 933—Ernest A. Logan, Jr., Administrator of the Estate of H. J. Schwarze, deceased, vs. George F. Schwarze and State of Idaho on relation of George W. Wedgwood, Commissioner of Finance of the State of Idaho. Re: Setting aside of realty deeds.
- 935—Idaho Candy Company, a corporation, and Charles A. Adams, vs. J. L. Balderston, Commissioner of Law Enforcement of the State of Idaho. Re: Violation of Beer Act.
- 936—Chris A. Hagan and Alfred E. Hagan vs. William S. Clyde, Etta M. Clyde, Earl H. Clyde, Lola Clyde, Allen C. Merritt, Commissioner of Public Works of the State of Idaho; E. A. Johnston, District Engineer, Department of Public Works of the State of Idaho; the State of Idaho, Highway District No. 1, Latah County, State of Idaho; and William O. Borgen, O. M. Anderson and B. L. Keatts, Commissioners of Highway District No. 1, Latah County. Re: Quieting title.

## Civil

## DISTRICT COURT (Closed)

- 607—Sam Gagon vs. Walter J. Scott, sometimes known as W. J. Scott, Mattie Scott, his wife, The State of Idaho, and Advance-Rumley Thresher Company, Incorporated, a corporation. Re: Foreclosure of Lien.
- 657—State of Idaho, ex rel. G. E. McKelvey, Commissioner of Public Works of the State of Idaho, vs. R. O. Robinson, and Jane Doe Robinson, his wife, and Beneficial Life Insurance Company, a corporation. Re: Damages.
- 662—The Washington, Idaho and Montana Railway Company, a corporation, vs. Latah County, a municipal corporation, Leola H. King, Treasurer and Ex-Officio Tax Collector of Latah County, Harry Thatcher, Clerk of the District Court and Ex-Officio Auditor and Recorder of Latah County, Leola R. King and Harry Thatcher. Re: Action to vacate taxes.

- 675—State of Idaho, ex rel. Bert H. Miller, Attorney General, vs. Intermountain Building & Loan Association. Re: Liquidation by Department of Finance.
- 686—State of Idaho, ex rel. Industrial Accident Board vs. Ralph Hensley and Jane Doe Hensley, husband and wife, doing business under the firm name and style of Roy's Cafe. Re: Default in not procuring compensation.
- 739—Teton Valley Power & Milling Co., a corporation, vs. Lynn Crandall, Watermaster of District No. 36, R. W. Faris, Commissioner of Reclamation of the State of Idaho, Grand Teton Reservoir Company, a corporation. Re: Water Adjudication.
- 766—State of Idaho, ex rel. Ben Diefendorf, Tax Commissioner, vs. Idaho Egg Producers, a cooperative marketing corporation. Re: Action to collect sales tax.
- 769—State of Idaho, ex rel. W. E. Talbot, State Land Commissioner, vs. Ben Lauer and Anna Lauer, husband and wife. Re: Adjudication of ditch right.
- 757—In the Matter of the Application of William J. Humphrey, for Writ of Habeas Corpus. Re: Alleged illegal incarceration.
- 758—Wulff Hardware & Implement Company, a corporation, vs. Harry C. Parsons, State Auditor of the State of Idaho. Re: Petition for Writ of Mandate.
- 759—Erb Hardware Co., Ltd., a corporation, vs. Harry C. Parsons, State Auditor of the State of Idaho. Re: Petition for Writ of Mandate.
- 777—State of Idaho, ex rel. M. Reese Hattabaugh, Harry Holden and J. W. Cornell, constituting and as the Public Utilities Commission of the State of Idaho, vs. J. D. Carr and J. D. Carr, doing business as Mackay Water Company, and Idaho Improvement Company, a corporation. Re: Action for penalty.
- 782—Standard Oil Company of California, a corporation, vs. Idaho Community Oil Company, a corporation, John Shrum and C. B. Faraday. Re: Claim of State for gasoline tax.
- 784—State of Idaho vs. Oliver Brewster and Wilson-Gleason Motor Company, a corporation. Re: Purchase of motor vehicle dealer's license.
- 792—State of Idaho, ex rel. Harry C. Parsons, State Auditor, vs. H. F. Ripley, doing business as Service Garage.
- 793—In the Matter of the Application of Carl Haines for a Writ of Habeas Corpus. Re: Forgery.
- 795—State of Idaho, ex rel. Harry C. Parsons, State Auditor, and J. W. Taylor, Attorney General, vs. Bunting Tractor Company, a corporation, G. E. McKelvey, J. H. Stemmer, Aetna Casualty & Surety Company, a corporation, United Pacific Casualty Insurance Company, a corporation, Continental Casualty Company, a corporation, Columbia Casualty Company, a corporation.
- 799—United Mercury Mines Company, a corporation, Yellow Pine Company, a corporation, The Hecla Mining Company, a corporation, Bunker Hill and Sullivan Mining and Concentrating Com-

- pany, etc., vs. John L. Balderston, Commissioner of Law Enforcement of the State of Idaho, and J. W. Taylor, Attorney General of the State of Idaho.
- 801—Idaho Gold Dredging Company, a corporation, etc., vs. John L. Balderston, Commissioner of Law Enforcement of the State of Idaho, and J. W. Taylor, Attorney General for the State of Idaho. Re: Tax claim.
- 802—State of Idaho, ex rel. S. H. Walton, S. H. Walton, Jr., Leo Walton and Opal Walton, husband and wife, and Vernon Walton, a minor, by J. W. Galloway as his guardian ad-litem, vs. Harry C. Parsons, as Auditor of the State of Idaho.
- 807—State of Idaho, ex rel. G. E. McKelvey, Commissioner of Public Works of the State of Idaho, vs. Emery Knudson and Nathalie Knudson, husband and wife, Albert Knudson and Lucretia Knudson, husband and wife, Oscar Knudson and Beatrice Knudson, husband and wife, and the Federal Land Bank of Spokane, a corporation, Robert Conniff, a bachelor, and Lena Enders, a widow. Re: Condemnation suit.
- 817—State of Idaho, ex rel. Geo. W. Wedgwood, Commissioner of Public Investments of the State of Idaho, vs. Frank Piersall, Sheriff of the County of Canyon, State of Idaho, or his successor in office.
- 824—State of Idaho, ex rel. J. W. Taylor, Attorney General, vs. Beneficial Protective Association, a corporation. Re: Benefit Funds.
- 826—State of Idaho, ex rel. Guy Graham, Commissioner of Agriculture of the State of Idaho, and Harry E. Young, L. R. Halverson, Victor Smith, J. P. Marshall, George Ames, R. H. Young, and E. A. White, being and constituting Idaho Fruit and Vegetable Advertising Commission, vs. Harry C. Parsons, State Auditor of the State of Idaho. Re: To compel issuance of state warrant.
- 834—State of Idaho, ex rel. Guy Graham, Commissioner of Agriculture of the State of Idaho, and Harry E. Young, L. R. Halverson, Victor Smith, J. P. Marshall, George Ames, R. H. Young, and E. A. White, being and constituting the Idaho Fruit and Vegetable Advertising Commission, vs. Myrtle P. Enking, State Treasurer of the State of Idaho, and William Rose, G. W. Browning and J. A. Kellogg. Re: Intervenors.
- 837—State of Idaho, ex rel. J. W. Taylor, Attorney General of the State of Idaho, vs. Charles H. Allen and Charlotte D. Allen, husband and wife. Re: Quieting title on real estate.
- 840—State of Idaho, ex rel. Geo. W. Wedgwood, Tax Commissioner of the State of Idaho, vs. James S. Webster and Thomas R. Webster. Re: Failure to pay income tax.
- 865—W. E. Buell vs. Ralph Womack, Treasurer, Village of Wilder, Canyon County, Idaho, a municipal corporation, and the State of Idaho, ex rel. Ben Diefendorf, Commissioner of Public Investments.
- 905—State of Idaho, ex rel. G. E. McKelvey, Commissioner of Public Works of the State of Idaho, vs. John Cannon, a single man, Mary Wickersham, a widow, Marie Christensen, a widow and Land Bank Commissioner of Spokane, Washington; Boni Oyar-

sabal and Marie Oyarsabal, husband and wife, et al. Re: Condemnation of right-of-way on FAP 10.

906—State of Idaho, ex rel. G. E. McKelvey, Commissioner of Public Works, State of Idaho, vs. John W. Caldwell and Ella Caldwell, husband and wife. Re: Condemnation of easement for right-of-way for highway purposes.

907—State of Idaho, ex rel. G. E. McKelvey, Commissioner of Public Works of the State of Idaho, vs. Elmore Company, a corporation. Re: Condemnation of easement for right-of-way for highway.

908—State of Idaho, ex rel. G. E. McKelvey, Commissioner of Public Works of the State of Idaho, vs. Albina McKeegan, an insane person, and Land Bank Commissioner of Spokane, Washington. Re: Condemnation of easement for right-of-way for highway.

909—State of Idaho, ex rel. G. E. McKelvey, Commissioner of Public Works of the State of Idaho, vs. Jesse W. Rutter, a bachelor; Lockey L. Rutter and Samuel E. Rutter, her husband; and the Federal Land Bank of Spokane, a corporation. Re: Condemnation of easement for right-of-way for highway.

910—State of Idaho, ex rel. G. E. McKelvey, Commissioner of Public Works of the State of Idaho, vs. Oliver P. Calvin and Clara Calvin, husband and wife. Re: Condemnation of an easement for right-of-way for highway.

911—State of Idaho, ex rel. G. E. McKelvey, Commissioner of Public Works of the State of Idaho, vs. Math Trukositz, a bachelor. Re: Condemnation of easement for right-of-way for highway.

912—State of Idaho, ex rel. Ira J. Taylor, commissioner of Public Works of the State of Idaho, (formerly the State of Idaho, ex rel. G. E. McKelvey) vs. Clara B. Austin, an insane person, and Boise Trust Company, a corporation, guardian of the estate of said Clara B. Austin. Re: Condemnation of easement for right-of-way for highway.

913—State of Idaho, ex rel. G. E. McKelvey, Com'r. of Public Works of the State of Idaho, vs. John Bonecher, a widower, and Federal Land Bank of Spokane. Re: Condemnation of an easement for right of way for highway.

914—State of Idaho, ex rel. Ira J. Taylor, Com'r. of Public Works of the State of Idaho, vs. Robert F. Kennedy and Samuel J. Kennedy. Re: Condemnation of easement for right of way for highway.

929—United States of America vs. George W. Fenton, Trustee et al. Re: Title of land.

934—State of Idaho, ex rel. Industrial Accident Board of the State of Idaho, vs. M. M. Daniels and F. C. Erwin, a co-partnership doing business under the firm name and style of Twin Falls Stockyards. Re: Failure to comply with Workman's Compensation Law.

#### Criminal

#### DISTRICT COURT (Pending)

764—State of Idaho vs. W. F. McMahan. Re: Manslaughter.

783—State of Idaho vs. Kenneth Kouni. Re: Violation of Driver's License Act.

- 786—State of Idaho vs. George Woodward. Re: Assault and battery.
- 787—State of Idaho vs. Van Antwerp. Re: Reckless driving.
- 789—State of Idaho vs. Letcher P. Neil. Re: Involuntary manslaughter.
- 800—In the matter of Revocation of License of Dr. Russell Rufus Craft.
- 852—State of Idaho vs. Ira J. Taylor. Re: Misuse of public funds.
- 856—State of Idaho vs. A. D. Stanley, James Jewell and G. E. McKelvey. Re: Making a false certificate on a voucher.
- 857—State of Idaho vs. J. H. Stemmer, G. E. McKelvey and James Jewell. Re: Making a false certificate on voucher.
- 858—In the Matter of the Application of Andrew Pomerinke, for Writ of Habeas Corpus. Re: Commutation of sentence.
- 859—In the Matter of the Application of James McLlelland for Writ of Habeas Corpus. Re: Burglary.
- 860—State of Idaho vs. Ira J. Taylor.
- 863—State of Idaho vs. L. L. Miller. Re: Operation of motor vehicle while under the influence of intoxicating liquor.
- 864—State of Idaho vs. W. S. Robbins. Re: Retailing beer without county license.
- 867—State of Idaho vs. E. A. Johnston. Re: Obtaining money under false pretenses.
- 868—State of Idaho vs. R. L. Bair. Re: Obtaining money under false pretenses.
- 869—State of Idaho vs. J. H. Stemmer. Re: Obtaining money under false pretenses.
- 870—State of Idaho vs. T. F. Edwards. Re: Obtaining money under false pretenses.
- 871—State of Idaho vs. G. E. McKelvey. Re: Obtaining money under false pretenses.
- 872—State of Idaho vs. G. E. McKelvey. Re: Perjury.
- 877—State of Idaho vs. G. E. McKelvey. Re: Misuse of public moneys.
- 878—State of Idaho vs. J. H. Stemmer. Re: Misuse of public moneys.
- 879—State of Idaho vs. G. E. McKelvey. Re: Misuse of public moneys.
- 880—State of Idaho vs. J. H. Stemmer. Re: Misuse of public moneys.
- 881—State of Idaho vs. G. E. McKelvey. Re: Misuse of public moneys.
- 882—State of Idaho vs. J. H. Stemmer. Re: Misuse of public moneys.
- 883—State of Idaho vs. W. R. Cameron. Re: Illegal sale of liquor.



- 884—State of Idaho vs. William H. Gess. Re: Failure to keep and pay over public moneys.
- 885—State of Idaho vs. Henry Thomey. Re: Maintaining public nuisance.
- 889—State of Idaho vs. Eugene Conner. Re: Violation of liquor act.
- 892—State of Idaho vs. James Jewell. Re: Presentation of a fraudulent voucher.
- 895—State of Idaho vs. J. D. Dunshee. Re: Using state money for a purpose not authorized by law.
- 896—State of Idaho vs. J. D. Dunshee and Echo Dell Watson. Re: Misuse of public moneys belonging to the State of Idaho.
- 899—State of Idaho vs. Charles C. Patterson.
- 900—In the Matter of the Application of William Blades for Writ of Habeas Corpus.
- 902—State of Idaho, ex rel. Harry C. Parsons, State Auditor of the State of Idaho, vs. Frank E. Leeright, H. R. Toomer and Thomas Lauridsen. Re: Collection of fish and game licenses.
- 917—State of Idaho vs. Max J. Kuney. Re: Making a false certificate on a voucher.
- 922—State of Idaho vs. J. H. Stemmer and Richard Pearson. Re: Making a false certificate on a voucher.
- 923—State of Idaho vs. J. H. Stemmer and Richard Pearson. Re: Making a false certificate on a voucher.
- 924—State of Idaho vs. Max J. Kuney. Re: Perjury.
- 925—State of Idaho vs. J. H. Stemmer, E. A. Johnston and Frayne L. McAtee. Re: Making a false certificate on a voucher.
- 926—State of Idaho vs. G. E. McKelvey. Re: Presentation of a fraudulent voucher.

#### Criminal

##### DISTRICT COURT (Closed)

- 751—State of Idaho vs. Del Ray Huff and Virgil Barney. Re: Robbery.
- 752—State of Idaho vs. Leoran Machen. Re: Statutory rape.
- 753—State of Idaho vs. George D. Wilding. Re: Battery.
- 754—State of Idaho vs. Cliff Davis. Re: Grand Larceny.
- 785—State of Idaho vs. W. B. Doolittle. Re: Violation of liquor laws, Chapter 103, 1935 Session Laws.
- 812—State of Idaho vs. J. H. Phillips, alias Arthur Osborne Phillips. Re: Unlawful impersonation.
- 827—State of Idaho vs. William Hix. Re: Murder.
- 847—State of Idaho vs. Marjorie Bess, William Rector and Oscar Bradley.

- 848—State of Idaho vs. Tony Phelan.
- 849—State of Idaho vs. Ira J. Taylor and Tony Phelan. Re: Embezzlement.
- 850—State of Idaho vs. Ira J. Taylor. Re: Embezzlement.
- 851—State of Idaho vs. Tony Phelan. Re: Misuse of public funds.
- 853—State of Idaho vs. Tony Phelan. Re: Misuse of public funds.
- 854—State of Idaho vs. Ira J. Taylor and Tony Phelan. Re: Misuse of public funds.
- 855—State of Idaho vs. Tony Phelan. Re: Embezzlement.
- 874—State of Idaho vs. W. H. Abendroth. Re: Embezzlement.
- 875—State of Idaho vs. W. H. Abendroth. Re: Embezzlement.
- 876—State of Idaho vs. W. H. Abendroth. Re: Embezzlement.
- 894—State of Idaho vs. Charles R. Lowe. Re: Perjury.
- 918—State of Idaho vs. Max J. Kuney. Re: Making a false certificate on a voucher.
- 919—State of Idaho vs. Max J. Kuney. Re: Perjury.
- 920—State of Idaho vs. J. H. Stemmer, E. A. Johnston and Frayne L. McAttee. Re: Making a false certificate on a voucher.
- 921—State of Idaho vs. J. H. Stemmer and Richard Pearson. Re: Making a false certificate on a voucher.
- 927—State of Idaho vs. Charles R. Lowe. Re: Perjury.
- 928—In the Matter of the Application of William La Vonde for Order for Writ of Habeas Corpus. Re: Murder.

#### INDUSTRIAL ACCIDENT BOARD

November 1, 1938

(Closed)

- I-96 —State, claimant, vs. Robinson Construction Company. Re: Ralph Christie, deceased.
- I-102—State, claimant, vs. Potlatch Forests, Inc. Re: Paul Sent, deceased.
- I-103—State, claimant, vs. Bunker Hill & Sullivan Mining and Concentrating Company. Re: Joseph Kendrick, deceased.
- I-106—State, claimant, vs. Roy Norris, Jack Leonard and Gus Almqvist, co-partners doing business under the name of Hunter Lease. Re: Norman Pierce, deceased.
- I-107—State, claimant, vs. E. C. Snook & Sons. Re: I Ver Douw, deceased.
- I-109—State, claimant, vs. Eugene Darrer and Arthur Darrer, doing business as Darrer Bros. Re: Elmer Nelson, deceased.
- I-111—State, claimant, vs. G. L. Arnett & Son. Re: Eugene Miller, deceased.

- I-112—State, claimant, vs. **Sunshine Mining Co.** Re: Tony Frank, deceased.
- I-113—State, claimant, vs. **Panhandle Lbr. Co.** Re: Howard LeBlanc, deceased.
- I-115—State, claimant, vs. **Federal Mining & Smelting Co.** Re: Louis A. Goff, deceased.
- I-116—State, claimant, vs. **Ohio Match Co.** Re: Jim Dermis, deceased.
- I-117—State, claimant, vs. **Potlatch Forests, Inc.** Re: Emil Metso, deceased.
- I-118—State, claimant, vs. **Golden Rand, Inc.** Re: Mary S. Horenberger, deceased.
- I-119—State, claimant, vs. **Dave Rich.** Re: Lone Lewis, deceased.
- I-120—State, claimant, vs. **Federal Mining & Smelting Co.** Re: Andrew H. Chambers, deceased.
- I-121—State, claimant, vs. **Federal Mining & Smelting Co.** Re: Wm. R. Buchanan, deceased.
- I-122—State, claimant, vs. **Hercules Mining Co.** Re: Walfred Johnson, deceased.
- I-123—State, claimant, vs. **Ohio Match Co.** Re: Oscar E. Olson, deceased.
- I-124—State, claimant, vs. **Ohio Match Co.** Re: Pete Peterson, deceased.
- I-125—State, claimant, vs. **Detweiler Bros., Inc.** Re: C. H. Christensen, deceased.
- I-126—State, claimant, vs. **J. R. Simplot.** Re: Ed Sadler, deceased.
- I-127—State, claimant, vs. **Federal Mining & Smelting Co.** Re: Elmer Woodworth, deceased.
- I-128—State, claimant, vs. **Federal Mining & Smelting Co.** Re: Rex Michelette, deceased.
- I-129—State, claimant, vs. **Federal Mining & Smelting Co.** Re: Andrew Kese, deceased.
- I-131—State, claimant, vs. **Edson & Drummond, Inc.** Re: Stojan Stetich, deceased.
- I-132—State, claimant, vs. **Golden Reward Mining Co.** Re: Charles Viet Harbour, deceased.
- I-133—State, claimant, vs. **Polaris Development & Mining Co., Inc.** Re: William M. King, deceased.
- I-134—State, claimant, vs. **Boise-Payette Lumber Co.** Re: Emil Sovey, deceased.
- I-135—State, claimant, vs. **William R. Crawford, doing business as Hyde Park Plumbing Co.** Re: John W. Shriber, deceased.
- I-137—State, claimant, vs. **Potlatch Forests, Inc.** Re: Jack Donnelly, deceased.

- I-138—State, claimant, vs. Phillip McManamin. Re: Joe Mikitich, deceased.
- I-139—State, claimant, vs. Potlatch Forests, Inc. Re: Louis Anderson, deceased.
- I-140—State, claimant, vs. Brown's Tie & Lumber Co. Re: Oliver Kohtala, deceased.
- I-141—State, claimant, vs. Polaris Development & Mining Co., Inc. Re: A. L. Beckstrom, deceased.
- I-143—State, claimant, vs. Talache Mines, Inc. Re: Virgil V. Brington, deceased.
- I-147—State, claimant, vs. Morey Lighting Fixture Co. Re: Henry Pfann, deceased.
- I-150—State, claimant, vs. Goldstone Mine, a co-partnership. Re: Robert F. Howe, deceased.
- I-151—State, claimant, vs. Golconda Lead Mines. Re: Hobert Gregory, deceased.

#### INDUSTRIAL ACCIDENT BOARD

November 1, 1938

(Closed)

- I-101—State, claimant, vs. Potlatch Forests, Inc. Re: John Anderson, deceased.
- I-104—State, claimant, vs. Lewiston-Clarkston Lumber Co. Re: Wm. Thornton, deceased.
- I-114—State, claimant, vs. St. Joseph Lead Company. Re: Charles Okerman, deceased.
- I-136—State, claimant, vs. J. A. Terteling & Sons. Re: Frank Webster, deceased.
- I-144—State, claimant, vs. Winona Highway District. Re: Richard Mundt, deceased.
- I-145—State, claimant, vs. Edwin M. Smith Sawmill. Re: Bobby Lew Horsley, deceased.

#### INDUSTRIAL ACCIDENT BOARD

November 1, 1938

(Pending)

- I-108—State, claimant, vs. Roy Lilya. Re: William D. Bates, deceased.
- I-148—State, claimant, vs. Charles Clark. Re: Jack Cook Beaker, deceased.
- I-149—State, claimant, vs. Consumer's Water Company, a corporation. Re: Tom Henry Hoffman, deceased.
- I-152—State, claimant, vs. Highway District No. 1. Power County. Re: Clyde Johnson, deceased.
- I-153—State, claimant, vs. Department of Public Works on the relation of Allen C. Merritt. Re: George L. Morris.

**INDUSTRIAL ACCIDENT BOARD**

November 1, 1938

**Supreme Court**

- I-100—State, claimant, vs. W. W. Brown and H. B. Way. Re: Orson Williams, deceased.
- I-110—State, claimant, vs. Tesemini Timber Protective Association. Re: Howard Puckett, deceased.
- I-130—State, claimant, vs. St. Joseph Lead Co. Re: Francis M. Nixon, deceased.
- I-142—State, claimant, vs. Chris Christensen. Re: Sam Hult, deceased.
- I-146—State, claimant, vs. Lafferty Transportation Co. Re: William P. Mitchell, deceased.

**MORTGAGE FORECLOSURES (Pending)**

- 4473—State v. Cowles Andrus, Custer County.
- 4799—State v. Martin A. Benson, Bonner County.
- 4470—State v. Robert W. Cook, Clearwater County.
- 4323—State v. Geo. S. Collins, Boundary County.
- 5015—State v. Florence E. Fowler, Gooding County.
- 3359—State v. Robert P. Hyde, Benewah County.
- 4421—State v. Paul Hodges, Custer County.
- 3897—State v. John W. Hunter, Lincoln County.
- 5458—State v. F. D. Jones, Blaine County.
- 5183—State v. George Knudson, Fremont County.
- 3650—State v. Edna R. Mikesell, Teton County.
- 4464—State v. Maude S. Morton, Lincoln County.
- 4319—State v. John W. Morton, Elmore County.
- 5575—State v. John W. Morton, Elmore County.
- 5099—State v. C. H. & R. E. McMurray, Cassia County.
- 2958—State v. C. Edith Maxwell, Power County.
- 3684—State v. Amy A. Maxwell, Power County.
- 3239—State v. Geo. S. Matthews, Cassia County.
- 4644—State v. Leland W. Nelson, Power County.
- 4647—State v. Paul Obendorf, Canyon County.
- 4430—State v. Hugo Olson, Camas County.
- 4722—State v. Hugo Olson, Camas County.

- 4005—State v. Margaret C. Plummer, Blaine County.
- 4754—State v. John L. Robinson, Camas County.
- 4967—State v. P. L. Robinson, Franklin County.
- 4927—State v. David E. Tracy, Cassia County.
- 3349—State v. Chas. L. Willitts, Canyon County.
- 5359—State v. Edgar D. Wells, Boundary County.
- 4296—State v. Woodhouse, Cassia County.
- 4822—State v. Geo. B. Spencer, Bear Lake County.
- 4707—State v. L. L. Sparks, Lemhi County.
- 5235—State v. Anna Sang Gillon, Boundary County.
- 5436—State v. E. M. Beus, Caribou County.
- 5012—State v. Painter Bros., Bear Lake County.
- 5405—State v. Henry Florin, Valley County.
- 5008—State v. Imogene Carlile, Bannock County.
- 5062—State v. Sarah L. Jenkins, Bannock County.

#### MORTGAGE FORECLOSURES (Closed)

- 4882—State v. Elizabeth Holmes Allen, Lincoln County. Property sold.
- 5262—State v. Edward D. Barney, Canyon County. Property sold.
- 4528—State v. W. B. Boydstun, Valley County. Property sold.
- 5462—State v. C. W. Calkins, Camas County. Property sold.
- 3847—State v. Susie M. Black Chandler, Gem County. Property sold.
- 5175—State v. Cecil V. Deary, Owyhee County. Deed taken by state.
- 5339—State v. William Fallis, Oneida County. Property sold.
- 3573—State v. Lot L. Feltham, Washington County. Property sold.
- 3180—State v. Mary Fogerty, Canyon County. Property sold.
- 5182—State v. Mary A. Frost, Boise County. Property sold.
- 5461—State v. Otto P. Hoebel, Butte County. Property sold.
- 3434—State v. Mrs. John Ivie, Lincoln County. Property sold.
- 2831—State v. Edwin S. Little, Teton County. Property sold.
- 4940—State v. T. W. Matthews, Cassia County. Property sold.
- 5469—State v. J. E. Moreland, Canyon County. Property sold.
- 5263—State v. John H. Olson, Cassia County. Property sold.
- 5124—State v. Anders C. Petersen, Oneida County. Property sold.

- 4215—**State v. B. C. Phetteplace**, Custer County. Property sold.
- 5232—**State v. Anna M. Phippen**, Ada County. Property sold.
- 4988—**State v. U. F. Powell**, Valley County. Property sold.
- 4741—**State v. Henry Seeger**, Oneida County. Paid by Farm Security Admin.
- 4216—**State v. Fred Swanstrom**, Teton County. Property sold.
- 3468—**State v. J. Earl Whitely**, Cassia County. Property sold.
- 3994—**State v. Harry L. Summers**, Lemhi County. Property sold.