

THIRTY-FOURTH BIENNIAL REPORT

of the

ATTORNEY GENERAL

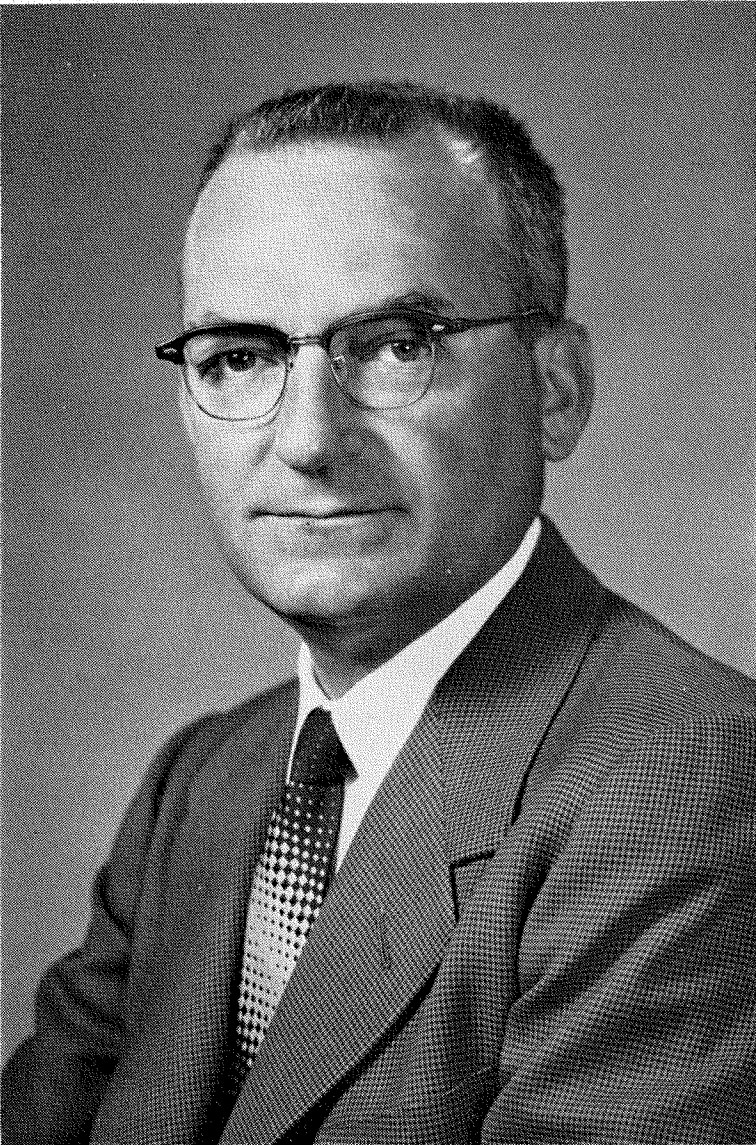
of

IDAHO



**For the period beginning July 1, 1956
and ending June 30, 1958**

GRAYDON W. SMITH
Attorney General



GRAYDON W. SMITH
Attorney General

ATTORNEY GENERAL'S DEPARTMENT

GRAYDON W. SMITH	Attorney General
EDWARD J. ASCHENBRENNER	Assistant Attorney General
DWIGHT BICKEL	Assistant Attorney General
ROBERT S. CAMPBELL, JR.	Assistant Attorney General
GLENN A. COUGHLAN	Assistant Attorney General
*J. RAY DURTSCHI	Assistant Attorney General
ELBERT E. GASS	Assistant Attorney General
JOHN GUNN	Assistant Attorney General
ALFRED C. HAGAN	Assistant Attorney General
ANTON HOHLER	Assistant Attorney General
T. J. JONES III	Assistant Attorney General
WM. R. PADGETT	Assistant Attorney General
HAROLD A. RANQUIST	Assistant Attorney General
WILLIAM C. RODEN	Assistant Attorney General
*ALLAN G. SHEPARD	Assistant Attorney General
†J. R. SMEAD	Assistant Attorney General
*WM. B. TAYLOR	Assistant Attorney General
*BETTY ANN GERMAN	Legal Stenographer
HOPE MUMFORD	Legal Stenographer
HELEN F. STON	Legal Stenographer

* Resigned.

† Deceased.

PROSECUTING ATTORNEYS—1957-58

(For the Counties of Idaho)

County	Name	Address
Ada.....	J. RAY DURTSCHI (R).....	Boise
Adams.....	CARL H. SWANSTROM (D).....	Council
Bannock.....	HUGH C. MAGUIRE (D).....	Pocatello
Bear Lake.....	ELBERT E. GASS (R).....	Paris
Benewah.....	RICHARD MCFADDEN (D).....	St. Maries
Bingham.....	DEAN WILLIAMS (R).....	Blackfoot
Blaine.....	JOSEPH MCFADDEN (D).....	Hailey
Boise.....	LOUIS H. COSHO (D).....	Idaho City
Bonner.....	DAR COGSWELL (R).....	Sandpoint
Bonneville.....	EDWARD W. PIKE (D).....	Idaho Falls
Boundary.....	W. W. NIXON (R).....	Bonnars Ferry
Butte.....	HARTLEY P. KESTER (D).....	Arco
Camas.....	CHAS. O. SCOGGIN (R).....	Fairfield
Canyon.....	LLOYD C. MCCLINTICK (R).....	Caldwell
Caribou.....	FRANCIS J. RASMUSSEN (R).....	Soda Springs
Cassia.....	NORMAN H. NIELSON (R).....	Burley
Clark.....	V. K. JEPPESEN (D).....	Dubois
Clearwater.....	WARREN F. GARDNER (R).....	Orofino
Custer.....	JACK B. FUREY (R).....	Challis
Elmore.....	ROBT. F. McLAUGHLIN (D).....	Mountain Home
Franklin.....	DELL W. SMITH (R).....	Preston
Fremont.....	KEITH JERGENSEN (R).....	St. Anthony
Gem.....	LOUIE GORRONO (R).....	Emmett
Gooding.....	CECIL D. HOBDEY (R).....	Gooding
Idaho.....	W. C. MACGREGOR, JR. (D).....	Grangeville
Jefferson.....	H. REYNOLD GEORGE (D).....	Rigby
Jerome.....	RICHARD H. SEELEY (R).....	Jerome
Kootenai.....	JAMES W. INGALLS (D).....	Coeur d'Alene
Latah.....	LLOYD G. MARTINSON (R).....	Moscow
Lemhi.....	CHARLES HERNDON (D).....	Salmon
Lewis.....	JOHN KEMPER (D).....	Nezperce
Lincoln.....	HOWARD E. ADKINS (D).....	Shoshone
Madison.....	RAY W. RIGBY (D).....	Rexburg
Minidoka.....	CHARLES CREASON (R).....	Rupert
Nez Perce.....	WYNNE M. BLAKE (D).....	Lewiston
Oneida.....	JEDD G. OWENS (R).....	Malad
Owyhee.....	HERBERT RETTIG (D).....	Murphy
Payette.....	DWAINE L. WELCH (R).....	Payette
Power.....	L. R. SCHOU (D).....	American Falls
Shoshone.....	ROBERT J. FANNING (D).....	Wallace
Teton.....	H. S. FORBUSH (R).....	Driggs
Twin Falls.....	JAMES M. CUNNINGHAM (R).....	Twin Falls
Valley.....	CHARLES E. SPENCE (R).....	Cascade
Washington.....	KENT B. POWER (R).....	Weiser

ATTORNEYS GENERAL FOR THE STATE OF IDAHO

Since Statehood

GEORGE H. ROBERTS.....	1891-1892
GEORGE M. PARSONS.....	1893-1896
ROBERT E. MCFARLAND.....	1897-1898
SAMUEL E. 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.....	1937-1940
BERT H. MILLER.....	1941-1944
FRANK LANGLEY.....	1945-1946
ROBERT AILSHIE.....	1947-
ROBERT E. SMYLIE.....	1947-1954
GRAYDON W. SMITH.....	1955-1958

JUSTICES OF THE IDAHO SUPREME COURT

January 7, 1957 to December 31, 1958

WM. D. KEETON, Chief Justice.....	Elected 1952
JAMES W. PORTER, Justice.....	Re-elected 1954
C. J. TAYLOR, Justice.....	Re-elected 1956
E. B. SMITH, Justice.....	Elected 1956
HENRY F. MCQUADE.....	Appointed 12-22-56 and Qualified on 12-27-56

December 5, 1958

HONORABLE ROBERT E. SMYLIE,
Governor of Idaho,
Statehouse,
Boise, Idaho.

DEAR GOVERNOR SMYLIE:

Pursuant to Section 67-1401, Idaho Code, I present for the consideration of yourself and the Thirty-fifth Session of the Legislature, the Report of the office of the Attorney General for the past biennium.

Respectfully submitted,

GRAYDON W. SMITH,
Attorney General.

ATTORNEY GENERAL'S FINANCIAL REPORT

STATEMENT OF EXPENDITURES

Office of the Attorney General for Period July 1, 1956 to June 30, 1958

Personal Services	Travel Expense	Other Expense	Capital Outlay	Total Expenditures
\$76,050.67	\$ 7,687.25	\$11,532.25	\$ 4,635.01	\$99,905.18

ANALYSIS OF GENERAL FUND APPROPRIATIONS—

ATTORNEY GENERAL'S OFFICE

Twenty-four Months' Period Ending June 30, 1958

Unencumbered Appropriation 7-1-56 to 6-30-57	Authorized Appropriation 7-1-56 to 6-30-59	Direct Receipts 7-1-56 to 6-30-58	Total Available
\$ 48,626.76	\$107,500.00	\$ 124.30	\$156,251.06

Total Disbursements 7-1-56 to 6-30-58	Lapsed 1955-57 Appropriation 6-30-58	Unencumbered Appropriation Balance 6-30-58
\$ 99,905.18	\$ 416.49	\$ 55,929.39

OPINIONS**5-56 DEPARTMENT OF COMMERCE AND DEVELOPMENT**

Newspapers, particularly those operating job printing plants and selling paper stocks and other supplies, are subject to the taxation of \$6.00 imposed by Section 48-410, Idaho Code. (Graydon W. Smith)

6-56 ALL PROSECUTING ATTORNEYS AND COUNTY AUDITORS

The position of names of candidates shall be alternated in printing is applicable to the judicial ballot. (Graydon W. Smith)

7-56 STATE BOARD OF CANVASSERS

Statutes in our State do not provide for a recount of votes in primary election for nomination of candidate for U.S. Senate. Board has no authority to recount or have others recount votes. (Graydon W. Smith)

8-56 EARLE E. KOEHLER, COMMISSIONER OF LAW ENFORCEMENT

Pinball machines accompanied by any sort of scheme so that a pay-off of any kind is possible would constitute a gambling device and be subject to seizure and destruction under the laws of this State. (Graydon W. Smith)

9-56 ROSS LEONARD, DIRECTOR, DEPARTMENT OF FISH AND GAME

Requirements for a valid purchase of a resident fish and game license are that the party purchasing such license be a bona fide resident of the State of Idaho residing in this State for a period of at least six months prior to purchase. Members of armed services stationed within Idaho are entitled to purchase resident fish and game licenses. Idaho residents attending school at out-of-state institutions are entitled to purchase licenses. (T. J. Jones III)

10-56 SUPERINTENDENT OF PUBLIC INSTRUCTION

State Board of Education is obligated to deduct the minimum salaries of non-certified teachers employed by any school district from the minimum salary allowances under the minimum program. (Elbert E. Gass)

11-56 SUPERINTENDENT OF PUBLIC INSTRUCTION

Re: Procedure followed by State Board of Education in considering applications for transfer of pupils from one district to another. (Edward J. Aschenbrenner, Graydon W. Smith)

12-56 EARLE E. KOEHLER, COMMISSIONER OF LAW ENFORCEMENT

Legislature did not intend the limitations as to size of vehicles stated in Section 49-613(A) were to be applied to trucks or trailers moving or transporting implements of husbandry to or from the farm. The phrase "temporarily propelled, moved or transported" as restricted by "to or from the farm" is limited to a reasonable and proximate distance. (Elbert E. Gass, Graydon W. Smith)

1-57 W. E. SMITH, PROBATE JUDGE OF ADA COUNTY

A photographic process may be employed by the probate courts to reproduce those instruments which are required to be recorded by the court. (William C. Roden)

2-57 W. L. ROBISON, COMMISSIONER OF LABOR

(1) The laws of Idaho and supporting cases appear to authorize Commissioner of Labor to refuse to hold another election in similar factual situations where an employer has refused to meet with bargaining agent selected by employees in a prior election. (2) Should not hold new election unless employer by his conduct brings himself within the good graces of the law. (Harold A. Ranquist)

3-57 HAROLD JOHNSON, STATE TAX COMMISSIONER

Licensing of pleasure boats — responsibility of enforcement, total h.p. a determinative factor of license fee, age of boat determines depreciation and boats in this state prior to April 1 and operated in this state during the year must be licensed for full year. (Elbert E. Gass)

4-57 WARNER MILLS, LIQUOR LAW ENFORCEMENT

State Legislature, mayors and councilmen of a municipality may not hold a license for the retail sale of liquor by the drink. (William C. Roden)

5-57 JOHN P. MOLITOR, CONTRACTORS STATE LICENSE BOARD

A general contractor who accepts the bid of an unlicensed sub or specialty contractor must suffer the disqualification of his own general bid; a subcontractor must be licensed before he may submit a bid on projects not financed by federal funds, or at or prior to the award of a subcontract in cases of projects financed by federal funds. (William B. Taylor, Graydon W. Smith)

6-57 W. L. ROBISON, COMMISSIONER OF LABOR

An employer by contract cannot require the employee to pass on to him all moneys received as tips or gratuities. (Graydon W. Smith)

7-57 F. O. GRAEBER, ACTING DIRECTOR OF PUBLIC HEALTH

Department of Health is authorized to take test samples of milk without making a tender of payment therefor. (Graydon W. Smith)

8-57 ALL PROSECUTING ATTORNEYS

Trust Deeds and related instruments should be recorded in mortgage records in office of county recorder. (William C. Roden, Graydon W. Smith)

9-57 H. F. GARRETT, EMPLOYMENT SECURITY AGENCY

Employment Security Agency is authorized to use Federal Reed Bill funds for purchase of real property and construction of office buildings used as local offices of the agency; that the Executive Director is authorized to enter into agreements for that purpose. (John W. Gunn)

10-57 P. G. NEILL, STATE TAX COLLECTOR

A company-sponsored sickness disability benefit plan, whereby a company without monetary payment by its employees, provides for payments to employees when unable to work due to sickness or off-the-job injuries, comes within the term "health insurance" as used in Section 63-3013(4), I.C. No income tax may be charged. Deductible expense items for company. (Graydon W. Smith)

11-57 RULON SWENSEN, STATE AUDITOR

Senate Bill No. 41, Chapter 295, S.L. of 1957, appropriating from the Highway Fund of the State \$35,000 to County Treasurer of Lemhi County for road repair and necessary construction is unconstitutional. (J. R. Smead)

12-57 D. M. HERITAGE, U.S. PENITENTIARY, WASHINGTON

To acquire the status of legal resident of Idaho, only physical presence plus the intent to establish and retain domicile in this jurisdiction are necessary. (Graydon W. Smith)

13-57 MINIDOKA COUNTY PROSECUTING ATTORNEY

The owner of a slaughterhouse must have all meat inspected except that which he owns and will consume himself or will be consumed by his immediate family.

14-57 FRED CHARLTON, STATE LIQUOR DISPENSARY

Any carrier transporting or possessing alcoholic liquor which does not have affixed thereto the official seal or label prescribed by Idaho Liquor Dispensary to be delivered within the State of Idaho, but not shipped under the direction of the Dispensary, violates Section 23-610, I.C. (William C. Roden)

15-57 E. C. PHOENIX, UNION PACIFIC RAILROAD

There is no statutory authority for the statement on the 1957 road map of Idaho as to highway accidents involving cattle on a road in unfenced grazing districts. (Graydon W. Smith)

16-57 CHARLES HERNDON, ATTORNEY, SALMON, IDAHO

Mines and minerals in place are real property, minerals severed and brought to surface are personal property. Annual net proceeds tax is a personal property tax. Tax is a lien upon the mine or mining claim. (Elbert E. Gass)

17-57 EUGENE COOK, ATTORNEY GENERAL OF GEORGIA

Constitutional amendments in Idaho become effective on the date of the voter ratification unless legislature incorporates an effective date within proposed amendment. (William B. Taylor, Graydon W. Smith)

18-57 PAUL M. ELLIS, M.D., STATE BOARD OF HEALTH

The State Board of Health, as a body, may perform the duties of Administrator of Health, pending his appointment. (Graydon W. Smith)

19-57 HAROLD JOHNSON, TAX COMMISSION

Chapter 68, 1957 Session Laws, is an unconstitutional enactment. (Irrigation Districts and Canals.) (Elbert E. Gass)

20-57 DEPARTMENT OF LAW ENFORCEMENT, PROSECUTING ATTORNEY, JUSTICE COURTS AND PROBATE COURTS

That portion of Section 49-1103, Idaho Code, pertaining to negligent driving is unconstitutional and void. There is no such offense as negligent driving in Idaho. (Graydon W. Smith)

1-58 P. G. NEILL, TAX COLLECTOR

Laws 1957, Chapter 163 (H.B. 167) is unconstitutional insofar as it exempts from taxation the interest income of foreign corporations from obligations secured by real or personal property in Idaho. (Elbert E. Gass, Graydon W. Smith)

2-58 RULON R. PRICE, JUSTICE OF PEACE OF IDAHO FALLS PRECINCT

A fine paid under a statute later declared to be unconstitutional cannot be recovered. (William C. Roden, Graydon W. Smith)

3-58 MRS. ANN IHRIG, ELMORE COUNTY HOSPITAL

County Hospital income derived from operations or from a tax levy under Section 31-3613, I.C., may not be utilized to construct or enlarge county hospital facilities under the control of a county hospital board.

4-58 WYNNE M. BLAKE, NEZ PERCE COUNTY PROSECUTOR

As long as the person in question maintains legal residence in the State of Idaho and otherwise meets the qualifications of an Idaho elector, there would seem to be no prohibition against taking the position with the United States Senator, in the capacity of secretary. (William B. Taylor, Graydon W. Smith)

5-58 DOUGLAS D. KRAMER, ATTORNEY, TWIN FALLS, IDAHO

Banks and other depositories have a duty to report when they know of the death of a record depositor or one having access to a deposit of any nature.

6-58 P. G. NEILL, TAX COLLECTOR

Foreign corporations holding and owning mortgages and deeds of trust on Idaho property, which mortgages and deeds are serviced by domestic and foreign corporations licensed to do business in this state, are not doing business in this state and the income from such mortgages and deeds is exempt from taxation. (This opinion overrules Opinion No. 1-58. Graydon W. Smith.)

DISTRICT COURT

Civil Cases (Closed)

1986—State of Idaho, on relation of R. U. Spaulding, Commissioner of Finance of the State of Idaho, v. Transportation Underwriters, Inc. (re: Receivership)

- 2003—State of Idaho, on relation of J. O. Cromwell, Alvin H. Reading, and N. P. Nielson v. Lillie Behrens. (re: Hospital collection case)
- 2037—James J. Miles v. Dr. Wallace Bond, et al. (re: Quiet title to State Hospital North)
- 2039—State of Idaho, on the relation of N. P. Nielson, State Auditor, and B. Child, Commissioner of Public Assistance of the State of Idaho, v. Roy Allman, Administrator of the Joint Estate of Addie L. Allman, Deceased, and George Allman, Deceased. (re: Public Assistance lien)
- 2053—State of Idaho, on relation of E. N. Dibble, Director of the Bureau of Business Relations of the State of Idaho v. Okay Shopping Center, Inc., a corporation, et al. (re: Unfair Sales Act)
- 2081—State of Idaho, on the relation of N. P. Nielson, State Auditor, and B. Child, Commissioner of Public Assistance of the State of Idaho v. John D. Marsan, Administrator of the Estate of David Frank Marsan. (re: Recovery of public assistance payments)
- 2083—Eva Boisseau v. Earle E. Koehler, Commissioner of Law Enforcement of the State of Idaho. (re: Revocation of liquor license)
- 2096—Comte Raoul DeVibraye and Martyne Reynolds DeVibraye v. W. W. Benson, State Registrar of Vital Statistics, and Vern Thomas, County Recorder and Auditor of Ada County. (re: Name change)
- 2114—First Security Bank of Idaho, National Association, Trustee for Marian Lorraine Flagg and Margaret Moore; Marie Smith, widow of W. J. Smith, and R. J. Dygert v. John Robert McKinney, et al. (re: Quiet title)
- 2116—Frank L. Kurdy, doing business as The Manhattan Club v. Earle E. Koehler, Commissioner of Law Enforcement of the State of Idaho. (re: Suspension of beer license)
- 2121—Tony Denzo v. Earle E. Koehler, Commissioner, Department of Law Enforcement, State of Idaho. (re: Suspension of liquor license)
- 2123—Lloyd Myers v. Earle E. Koehler, Commissioner, Department of Law Enforcement, State of Idaho. (re: Suspension of liquor license)
- 2133—In the Matter of the Application of Darwin Ames, a Minor, and Oren L. Ames and Florence R. Ames, his parents, for Writ of Habeas Corpus, and in the Matter of the Application of Howard A. Salman, a Minor, and John V. Salman and Mrs. John V. Salman, his parents, for Writ of Heabeas Corpus. (re: Youth Rehabilitation Act)
- 2136—William S. Herder and Blanche A. Herder, husband and wife v. Claus Burstedt; Mark R. Culp, Idaho State Reclamation Engineer; and Clark Fitzgerald. Water Master of District No. 19.
- 2138—Alice P. Flenniken v. Teachers' Retirement System of the State of Idaho, an instrumentality of the State of Idaho, and David Barry Flenniken.

- 2160—The State of Idaho ex rel Graydon W. Smith, Attorney General v. Liberty Savings & Loan Association, Inc., an Idaho Corporation.
- 2163—State of Idaho ex rel Shervan V. McNamee, Petitioner v. L. E. Clapp, Board Chairman, Idaho State Board of Correction. (re: Habeas Corpus)
- 2173—DeTweede Northwestern and Pacific Hypotheekbank, a corporation v. W. J. Hedge, sometimes known as William J. Hedge; unknown heirs and Unknown Devisees of Nettie A. Hedge, deceased wife of W. J. Hedge; Clayton R. Smith and Edith Smith, doing business as Retail Credit Bureau of Coeur d'Alene; Bill Child, as Commissioner of Department of Public Assistance of the State of Idaho; and State of Idaho.
- 2177—Henry Fliehman v. C. F. Stabbert, dba Stabberts, the State board of Education, and the Board of Regents of the University of Idaho, and State of Idaho. (re: To establish and foreclose a lien)
- 2184—Hope Land and Water Company, Inc., a corporation v. Otto G. Baxter and Bonnie Baxter, et al. (re: Quiet title)
- 2192—In the Matter of James Brady, alias James Bradley, Petitioner v. L. E. Clapp, Warden, Idaho State Penitentiary. (re: Habeas corpus)
- 2193—Henry L. Day v. P. G. Neill, Tax Collector for the State of Idaho. (re: Income tax)
- 2196—In the Matter of the Suspension of State Wholesale Beer License No. 23 of G. F. & M. P. Mitchell, dba Mitchell Distributing Co. (re: Suspension of Wholesale Beer License)
- 2222—In the Interest of Duane Howard Bingham, a child under eighteen years of age. (re: Habeas corpus)
- 2238—In the Matter of the Application for Authority to Engage in the Small Loan Business by the City Finance Company (Idaho) at Lewiston, Idaho. (re: Denial of License)
- 2239—In the Matter of the Application for Authority to Engage in the Small Loan Business by the City Finance Company (Idaho) at Boise, Idaho. (re: Denial of license)
- 2240—In the Matter of the Application for Authority to Engage in the Small Loan Business by the City Finance Company (Idaho) at Alameda, Idaho. (re: Denial of License)
- 2242—In the Matter of the Application for Authority to Engage in the Small Loan Business by the City Finance Company (Idaho) at Idaho Falls, Idaho. (re: Denial of License)
- 2243—Frank F. Moyes v. Earle E. Koehler, Commissioner of Law Enforcement, State of Idaho.
- 2273—W. B. Kennedy v. Earle E. Koehler, Commissioner of the Department of Law Enforcement, State of Idaho. (re: Revocation of Optometrist License)

DISTRICT COURT
Civil Cases (Pending)

- 1999—Aberdeen-Idaho Mining Co. v. Bunker Hill & Sullivan Mining and Concentrating Co., a corporation, the State Board of Land Commissioners, and Arthur Wilson, Commissioner. (re: State mineral lease)
- 2035—Safeway Stores, Inc. v. Robert E. Smylie, as Governor of the State of Idaho; E. N. Dibble, as Director of the Bureau of Business Relations of the State of Idaho, et al. (re: Injunction concerning Unfair Sales Act)
- 2038—John E. Peterson and Florence E. Peterson v. Mark R. Kulp, State Reclamation Engineer, et al. (re: Water rights)
- 2040—Prudential Insurance Company of America v. P. G. Neill, Tax Collector of the State of Idaho. (re: Income tax)
- 2047—Rex Sutton v. The State of Idaho. (re: Water rights)
- 2054—Joint Class A School District No. 2, Ada and Canyon Counties, Idaho, et al. v. State Board of Education, State of Idaho, et al. (re: School district boundary change)
- 2055—First Federal Savings and Loan Association of Boise v. E. A. Brewster, et al. (re: Public Assistance lien)
- 2058—In the Matter of Inland Empire Insurance Company, a Domestic Insurance Company. (re: Rehabilitation of Insurance Company)
- 2060—Garrett Freightlines, Inc. v. Norland Beamer, et al. (re: Public Utilities Law)
- 2062—In the Matter of Inland Empire Insurance Company, a Domestic Insurance Company. (re: Liquidation of Insurance Company)
- 2064—Alberta Harper v. Atha Leah Dent and the State of Idaho. (re: Recovery of public assistance payments)
- 2068—First Security Bank of Idaho, National Association, v. Armand W. Gardner, et al. (re: Income tax)
- 2069—First Security Bank of Idaho, National Association v. Charles B. Fellows, Jr., et al. (re: Income tax)
- 2073—Harley O. Fortner v. Idaho Cattlemen's Association. (re: Cattle rustling)
- 2079—Van's Creamery, Inc. v. P. G. Neill, as Tax Collector of the State of Idaho and as Tax Commissioner of the State of Idaho, and H. H. Haner, Sheriff of Kootenai County. (re: Income tax)
- 2091—Gem State Mutual Life Association, Inc. v. Leo O'Connell, Commissioner of Insurance of the State of Idaho. (re: Review of disapproval of insurance rider)
- 2115—The State of Idaho, on the relation of R. U. Spaulding, Commissioner of Finance of the State of Idaho v. Intermountain Development Company. (re: Blue Sky Law violation)

- 2118—Ezra Whitla v. Kootenai County et al. (re: Failure to pay forest fire protection charges)
- 2126—James A. Singmaster and Helen J. Singmaster v. P. G. Neill, Tax Collector of the State of Idaho, et al. (re: Income tax)
- 2127—Frank G. Breyer and Marjorie B. Breyer v. P. G. Neill, Tax Collector, et al. (re: Income tax)
- 2128—John P. Hubbell and Dorothy P. Hubbell v. P. G. Neill, Tax Collector of the State of Idaho, et al. (re: Income tax)
- 2129—E. H. Hilgeman and Jane G. Hilgeman v. P. G. Neill, Tax Collector of the State of Idaho, et al. (re: Income tax)
- 2130—Byron Marquis and Ruth Marquis v. P. G. Neill, Tax Collector of the State of Idaho, et al. (re: Income tax)
- 2131—Gerhard E. Sonderman and Louise R. Sonderman v. P. G. Neill, Tax Collector of the State of Idaho, et al. (re: Income tax)
- 2132—William H. Finkeldey and Miriam N. Finkeldey v. P. G. Neill, Tax Collector of the State of Idaho, et al. (re: Income tax)
- 2139—In the Matter of the Rehabilitation of Liberty National Insurance Company, a Domestic Insurance Company.
- 2158—The State of Idaho ex rel Graydon W. Smith, Attorney General v. Idaho Savings and Loan Association, Inc.
- 2159—The State of Idaho ex rel Graydon W. Smith, Attorney General v. Capitol Savings & Loan Association, Inc., an Idaho corporation.
- 2170—The Prudential Insurance Company of America v. P. G. Neill, Tax Collector of the State of Idaho. (re: Income tax)
- 2176—The State of Idaho, ex rel Ralph U. Spaulding, Commissioner of Public Investments of the State of Idaho v. Corliss R. Morphey and Margaret B. Morphey, husband and wife, et al. (re: Mortgage foreclosure)
- 2181—John C. Orr and Virginia Orr, husband and wife v. Katherine Wilson, State of Idaho, et al. (re: Quiet title action)
- 2182—Marion G. Groseclose, etc. v. John Doe Hines, State of Idaho, et al. (re: Quiet title action)
- 2185—T. P. Joseph and Sarah Joseph, husband and wife v. Minnie Carlson, a widow, and the State of Idaho.
- 2185—First Security Bank of Idaho, National Association, a corporation v. Keith W. Kendall and Lynn F. Kendall, husband and wife; Edward L. Gebs and Aleene L. Gebs, husband and wife; Lyle Wetherby and Glenrose Wetherby, husband and wife; A. E. McDaniel, dba United Food Plant; State of Idaho, and the Administrator of Veterans Affairs, and H. V. Higley, as Administrator of Veterans Affairs, an officer of the United States of America, and his successors in such office, cross-complainant.

- 2186—C. G. Pope v. William Trowbridge and State of Idaho through its Department of Public Works.
- 2191—Thomas L. Berry, dba The Quality Repair Dental Lab and The Fit-Rite Denture Materials Sales Laboratory; George S. Snyder, dba the Fit-Rite Denture Materials Sales Laboratory v. Earle E. Koehler, Commissioner of Law Enforcement, State of Idaho; Graydon W. Smith, Attorney General, State of Idaho; James M. Cunningham, Prosecuting Attorney, Twin Falls County; and Eugene C. Thomas, Prosecuting Attorney, Ada County.
- 2195—Jarvis Roubidoux and Bertha Roubidoux, husband and wife v. P. G. Neill, Idaho State Tax Commissioner. (re: Income tax)
- 2197—In the Matter of the Proposed Change of Boundaries of School District No. 421-B and No. 422-B of Valley County, Idaho. (re: School District boundary change)
- 2223—Virgil Johnson and Anita Johnson, et al. v. State of Idaho, Arthur Wilson, State of Idaho Land Commissioner, et al.
- 2228—In the Matter of the Appeal of Balfour, Guthrie & Co., Limited, a corporation, and Cominco Products, Inc., a corporation, from the Tax Commission of the State of Idaho. (re: Ad Valorem Taxation)
- 2229—Beneficial Life Ins. Co., a corporation v. George John Schreiner and Beverly Ethel Schreiner, et al.
- 2230—New York Life Insurance Co., a corporation v. Robert L. Hall and Jane L. Hall; and State of Idaho, by and through its Tax Collector, P. G. Neill.
- 2232—W. E. Fields v. Earle E. Koehler, Commissioner of Law Enforcement.
- 2241—In the Matter of the Application for Authority to Engage in the Small Loan Business by the City Finance Company (Idaho) at Preston, Idaho.
- 2244—Roundup Room, Inc., an Idaho corporation v. Earle E. Koehler, Commissioner of Law Enforcement, State of Idaho.
- 2245—In the Matter of that Property of ICT Insurance Company, a Texas corporation, which is located within the State of Idaho.
- 2249—Ronald D. Spanton v. L. E. Clapp, Mark M. Maxwell and H. P. Fails, as individuals, and the Idaho State Board of Correction, the Idaho State Penitentiary, L. E. Clapp, Mark M. Maxwell and H. P. Fails, members.
- 2278—In the Matter of the Revocation of the Motor Vehicle Operator's License of Albert E. Moncarr by the Commissioner of Law Enforcement of the State of Idaho. (re: Revocation of motor vehicle operator's license)

- 2279—The Prudential Insurance Company of America v. P. G. Neill, Tax Collector of the State of Idaho.
- 2280—In the Matter of the Application for Permit No. 35010 by State Department, Fish and Game and Protest of Northern Lights, Inc.
- 2283—Affie Cothorn v. Ellen A. Niece, Department of Public Assistance, State of Idaho, John Doe and Richard Roe.
- 2284—H. C. Berkowitz v. Ross Leonard, Director, and Alonzo F. Brown, Conservation Officer.
- 2285—Golconda Lead Mines, a corporation, and John A. Featherstone and Harry F. Magnuson v. P. G. Neill, in his official capacity as Tax Collector of the State of Idaho (Pending on appeal).
- 2289—In the Matter of the Applications of Consumers Finance Corporation of Twin Falls, Beneficial Finance Company of Twin Falls, Household Finance Corporation of Twin Falls, for Small Loan Licenses under the Idaho Consumer Finance Act, for the City of Twin Falls, Idaho.
- 2290—In the Matter of the Applications of Household Finance Corporation of Idaho Falls, City Finance Company (Idaho), Consumer Finance Company of Idaho, Beneficial Finance Company of Idaho Falls for Small Loan Licenses under the Idaho Consumer Finance Act, for the City of Idaho Falls, Idaho.
- 2293—John Andros, dba Oasis Bar v. Earle E. Koehler, Commissioner, Department of Law Enforcement, State of Idaho.
- 2301—Idaho Savings & Loan Association, a corporation v. Eugene Thomas, Prosecuting Attorney of Ada County, James M. Cunningham, Prosecuting Attorney of Twin Falls County, Hugh Maguire, Prosecuting Attorney of Bannock County, and Edward W. Pike, Prosecuting Attorney of Bonneville County, Graydon Smith, Attorney General of the State of Idaho, Ralph U. Spaulding, Commissioner of Finance of the State of Idaho. (re: Constitutionality of Savings and Loan Law)
- 2302—Idaho Portland Cement Company, a corporation v. P. G. Neill as Tax Collector of the State of Idaho, and the Idaho State Tax Commission.
- 2303—Idaho Portland Cement Company, a corporation v. P. G. Neill as Tax Collector of the State of Idaho, and the Idaho State Tax Commission.
- 2304—Hugh Winchester and Helen Winchester, husband and wife v. M. C. Pat Beshey and State of Idaho, on the relation of the State Board of Land Commissioners of the State of Idaho and of the State Land Commissioner of the State of Idaho.
- 2308—The State of Idaho on the relation of Graydon W. Smith, Attorney General of the State of Idaho v. Standard Optical Co., a corporation. (re: Forfeiture of charter)

- 2310—Elmer M. Ward and Susan I. Ward v. Albert D. Kosanke, Ruth Evelyn Kosanke, Lydia Kosanke, executrix for the David Kosanke Estate, the Texas Company, the State of Idaho, the United States of America, Paul Roberts Machine Co., Eric J. Seach Co. (re: Inheritance tax)
- 2311—Idaho Portland Cement Co., a corporation v. P. G. Neill as Tax Collector of the State of Idaho.
- 2312—The Prudential Insurance Company of America v. P. G. Neill, Tax Collector of the State of Idaho.
- 2313—William Schwartzenberger v. Earle E. Koehler, Commissioner of the Department of Law Enforcement of the State of Idaho; Village of Osburn, a municipal corporation, and Shoshone County, a body politic. (re: Revocation of liquor license)
- 2316—In the Matter of the Request by the Commissioner of Insurance that the Extra Cost and Expense of Collecting Payments in Installments from Members be apportioned Two-thirds to the Benefit Fund.
- 2317—Utah Power & Light Company, a corporation v. Donald S. Rex and Mabel Rex, husband and wife; State of Idaho, and Arthur Wilson, State Land Commissioner. (re: Condemnation)
- 2320—Committee for Local Law Enforcement, Inc. v. Earle E. Koehler, Commissioner of Law Enforcement of the State of Idaho, and the Department of Law Enforcement, a department of the government of the State of Idaho.

SUPREME COURT
Civil Appeals (Closed)

- 1953—John Hancock Mutual Life Insurance Company v. P. G. Neill. (re: Income tax)
- 1954—The Union Central Life Insurance Company v. P. G. Neill. (re: Income tax)
- 2004—In the Matter of the Petition of Two-thirds or More of the Qualified Electors of the Big Butte Area of Idaho County, State of Idaho. (re: School District boundary change)
- 2030—John Pigge v. Dewey Brockman, James Trummel, Eugene A. Hagler and the State of Idaho. (re: Liability.) Pending rehearing in District Court.
- 2051—C. N. Hankins and United States Credit Bureau, Inc. v. R. U. Spaulding, Commissioner of Finance, State of Idaho. (re: Residence requirement of collection agent law)
- 2059—In the Matter of the Application of Willie Haney for Writ of Habeas Corpus. (re: Writ of Habeas Corpus)
- 2072—Frank DePew, dba Sun Valley Stages v. City of Twin Falls, et al. (re: Jurisdiction of Public Utilities Commission)

- 2082—Ronald D. Spanton v. L. E. Clapp, Chairman of the Idaho State Board of Correction and Warden of Idaho State Penitentiary. (re: Writ of Habeas Corpus)
- 2084—Nick Leseakatos v. Earle E. Koehler, Commissioner, Department of Law Enforcement, State of Idaho. (re: Revocation of liquor license)
- 2092—Donald C. Crawford v. State Auditor and State Treasurer of the State of Idaho, ex rel Industrial Special Indemnity Fund. (re: Industrial Special Indemnity Fund)
- 2098—State of Idaho v. In the Interest of Walter Lindsey, a Child under 18 Years of Age. (re: Youth Rehabilitation Act)
- 2112—In the Matter of the Permit of Vernon B. Finch, dba Clearwater Dredging Company, to conduct a dredge mining operation on the Crooked River in Idaho County, Idaho. (re: Dredging permit)
- 2124—In the Matter of the Application of Kootenai Natural Gas Company, an Idaho corporation, for a Certificate of Convenience and Necessity. (re: Application for Certificate of Convenience and Necessity.)
- 2137—W. J. O'Bryant v. The City of Idaho Falls, Idaho, a municipal corporation, and its duly elected Mayor and Councilmen, namely Russell Freeman, George Peterson, Donald Foote, Vernon Johnson, and John Rogers, Mayor, Idaho Falls Cooperative Gas Association, Inc., a corporation, and its board of directors, namely, D. A. Thompson, D. F. Richards, Lynn Crandall, George Watkins and Hugh Benfer.
- 2156—David R. Cobas v. L. E. Clapp, Chairman of the Idaho State Board of Correction and Warden of Idaho Penitentiary. (re: Petition for Writ of Habeas Corpus)
- 2165—State of Idaho v. Leland G. Alkire. (re: Failure to file statement of personal expenses)
- 2174—Pumice Products, Inc. v. W. L. Robison, Commissioner of Labor, State of Idaho. (re: Writ of Mandate)
- 2179—In the Matter of the Investigation of the Operations of Allied Van Lines, Broadview, Illinois. (re: Revocation of Common Carrier permit)
- 2183—W. D. Eberle, et al. v. N. P. Nielson, State Auditor of the State of Idaho. (re: Writ of Mandate)
- 2189—Roy V. Carlson and Dorothy Carlson, husband and wife v. Idaho State Tax Commissioner. (re: Income Tax)
- 2190—In the Matter of the Appeal of R. M. Farmer from the Board of Equalization of Bannock County.
- 2194—W. R. Taylor and Blanche Taylor, husband and wife v. P. G. Neill, Tax Collector of the State of Idaho. (re: Income Tax)

- 2221—In the Matter of the Petition of J. H. Felton for Refund and Cancellation of Taxes.
- 2295—Board of County Commissioners of Lemhi County, Idaho and Charles B. Kane, James W. Caples and Sam McKinney, constituting the members of said Board v. Rulon Swenson. (re: Writ of Mandate)

SUPREME COURT
Criminal Appeals (Closed)

- 2029—State of Idaho v. John Pigge. (re: Negligent driving)
- 2041—State of Idaho v. William Cronk. (re: Burglary)
- 2063—State of Idaho v. John Davidson. (re: Manslaughter)
- 2067—State of Idaho v. Perry Sheppard. (re: Burglary)
- 2070—State of Idaho v. Willard Wilson. (re: Homosexuality)
- 2074—State of Idaho v. Joe Moore. (re: Homosexuality)
- 2087—State of Idaho v. Jack Cummerson. (re: Manslaughter)
- 2093—State of Idaho v. Archie Parish. (re: Failure to stop at scene of accident)
- 2111—State of Idaho v. Homer Nesbitt. (re: Obstructing public highway)
- 2119—State of Idaho v. Rose Burke.
- 2120—State of Idaho v. Don McKenna.
- 2161—State of Idaho v. Raymond Allen Snowden. (re: Murder)
- 2168—State of Idaho v. Wallace Witsel.
- 2171—State of Idaho v. Buell Warner.
- 2171—State of Idaho v. Ali Gianchi. (re: Attempting to commit grand larceny)
- 2178—State of Idaho v. Oren Thomas.
- 2180—State of Idaho v. Allen H. Pollock.
- 2231—State of Idaho v. Bernard H. Aims. (re: Negligent homicide)
- 2292—State of Idaho v. Ernest S. Palmer.

SUPREME COURT
Civil Appeals (Pending)

- 2095—Snake River Mutual Fire Insurance Company v. P. G. Neill, State Tax Collector of the State of Idaho. (re: Income tax)
- 2135—In the Matter of Clarence H. Baldwin v. L. E. Clapp, et al., Warden, Idaho State Penitentiary and Penitentiary Physician. (re: Habeas Corpus)

- 2199—H. W. Anderson and Grace W. Anderson, husband and wife v. Henry Stocks and Lenora Stocks, husband and wife, Clinton A. Gunderson and Fern E. Gunderson, husband and wife, Edward Anderson and Erma Anderson, husband and wife, and State Board of Land Commissioners and Robert E. Smylie, Jas. H. Young, Graydon W. Smith, and Alton B. Jones, constituting the members of said Board.
- 2233—Bohemian Breweries, a division of Atlantic Brewing Company, a corporation v. Earle E. Koehler, Commissioner of Law Enforcement of the State of Idaho, and Warner C. Mills. (re: Power of Commissioner of Law Enforcement)
- 2237—In the Matter of the Application of John Segedi for Writ of Habeas Corpus. (re: Habeas Corpus)
- 2274—In the Matter of the Appeal of Sunset Memorial Gardens, Inc., a corporation, from the State Tax Commission of the State of Idaho.
- 2276—In the Matter of the Application of James Coleman for Writ of Habeas Corpus. (re: Habeas Corpus)
- 2281—In the Matter of the Application of John N. Eubanks for Writ of Habeas Corpus. (re: Habeas Corpus)
- 2297—Lloyd H. Scrivner and Gladys Scrivner, husband and wife v. State Tax Commission of the State of Idaho, Ed D. Baird, T. Hedley Dingle, Charles C. Gossett and T. C. Waddoups, as members thereof; and P. G. Neill, as Tax Collector of the State of Idaho.

SUPREME COURT

Criminal Appeals (Pending)

- 2167—State of Idaho v. Vondell A. Bock.
- 2175—State of Idaho v. Gordon Larsen. (re: Infamous crime against nature)
- 2234—State of Idaho v. James Polson and Betty Joeanne Johnson, sometimes known as Betty Nan Lanier. (re: Second Degree Burglary)
- 2235—State of Idaho v. William Bronson Mayer and In the Matter of the Application of William Bronson Mayer for Writ of Habeas Corpus.
- 2236—State of Idaho v. Robert F. Barter. (re: Reckless driving)
- 2247—State of Idaho v. Ross Packer. (re: Violation of Liquor Law)
- 2277—State of Idaho v. James Allen Hendricks.
- 2282—State of Idaho v. Allan Morris.
- 2286—State of Idaho v. Donald G. Parker. (re: Driving while under influence of intoxicating liquor)

- 2287—State of Idaho v. Buddy Lee Burris. (re: Murder)
- 2291—State of Idaho v. Forrest H. Pefley. (re: Driving while under influence of intoxicating liquor)
- 2307—State of Idaho v. Delbert L. Davis.
- 2309—State of Idaho v. Wilbur B. Cox. (re: Negligent Homicide)
- 2314—State of Idaho v. Thomas C. (Tommy) Brophy, Jr.
- 2315—State of Idaho v. Lee R. Peterson. (Pending on appeal)

SUPREME COURT
Special Cases (Closed)

- 2071—The State of Idaho ex rel Ruth G. Moon, Treasurer of the State of Idaho v. A. B. Jonasson, et al. (re: Declaratory judgment)
- 2094—In the Matter of the Application of Big Lost River Irrigation District for Approval of Plans, Drawings and Specifications amending Plans, Drawings, and Specifications heretofore Approved for Raising of Reservoir Level Five Feet at the Mackay Dam. (re: Elevation of Mackay Dam)
- 2117—State of Idaho ex rel Cecil D. Hobdey, Prosecuting Attorney v. Hugh A. Baker, Presiding District Judge and District Court of the Fourth Judicial District of the State of Idaho in and for the County of Gooding. (re: Writ of Prohibition)
- 2134—Harold S. Forbush, Prosecuting Attorney of Teton County, State of Idaho v. Honorable Preston Thatcher, District Judge of the Sixth Judicial District of the State of Idaho, in and for the County of Bingham. (re: Writ of Prohibition)
- 2225—In the Matter of the Application of Floyd Johnson for Writ of Review Coram Nobis.
- 2226—State of Idaho ex rel Harold S. Forbush, Prosecuting Attorney of Teton County, State of Idaho v. Preston Thatcher, District Judge of the Sixth Judicial District of the State of Idaho, in and for the County of Bingham. (re: Writ of Mandate)
- 2162—Robert E. McFarland, Prosecuting Attorney of Bonner County, Idaho, and Billie L. Kind, Treasurer of Bonner County, Idaho v. Hon. Everett E. Hunt, Judge of the District Court of the Eighth Judicial District of the State of Idaho, in and for the County of Bonner. (re: Writ of Prohibition)
- 2169—J. Ben Luehrs, John A. McBoyle, Clifford M. Irwin, C. H. Ketcham, and John E. Gortsema v. R. U. Spaulding, Commissioner of Finance of the State of Idaho.

BEFORE THE DEPARTMENT OF RECLAMATION
(Closed)

- 2122—In the Matter of the Protest of the Idaho State Department of Fish and Game, et al., against the approval of Applications Nos. 34042 and 34043 of Crystal Springs Irrigation Company for Permits to Appropriate 100 cubic feet per second of the waters of Crystal Springs and 100 cubic feet per second of the waters of Niagara Springs. (re: Water rights)
- 2248—In the Matter of the Application of the State of Idaho for the Use and Benefit of the Fish and Game Department.

**BEFORE THE COMMISSIONER OF INSURANCE OF
THE STATE OF IDAHO**
(Closed)

- 2157—In the Matter of the Disapproval by the State Insurance Department of Certain Insurance Policies Issued by Gem State Mutual Life Association of Pocatello, Idaho. (re: Insurance Case)

BEFORE THE PUBLIC UTILITIES COMMISSION
(Closed)

- 2198—In the Matter of the Application of the Northern Pacific Railway Company, a corporation, for permission to abandon its stockyard at Rathdrum, Idaho.
- 2224—In the Matter of the Application of the Pacific Telephone and Telegraph Company, a corporation, for Authority to Increase Certain Rates. (re: Increase in Rates)
- 2246—John W. Harwood and Pearl Harwood, husband and wife v. Donald Boyer and Lillian Boyer, husband and wife, and the community of them composed. (re: Water Utility)
- 2250—In the Matter of the Complaint of the Mountain States Telephone and Telegraph Company against the presently Authorized Schedule of Rates, Tolls and Charges for Telephone Service. (re: Increase in Rates)
- 2275—In the Matter of the Application of Lemhi Telephone Company for Authority to Increase Certain Rates. (re: Authority to Increase Rates)
- 2296—In the Matter of the Application of the General Telephone Company for Authority to Increase Certain Rates. (re: Authority to Increase Rates)
- 2338—In the Matter of the Application of the Northern Pacific Railway Company for Permission to Permanently Close its Station at Julia-etta, Idaho.

ATTORNEY GENERAL'S REPORT**BEFORE THE PUBLIC UTILITIES COMMISSION****(Pending)**

- 2271—In the Matter of the Application of Union Pacific Railroad Company to discontinue the operation of passenger trains Nos. 73 and 74 between Lewiston, Idaho, and the Idaho-Washington State Line. (re: Discontinuance of Passenger Rail Service)
- 2300—In the Matter of the Application of Citizens Utilities Company, a corporation, for a Certificate of Convenience and Necessity; and In the Matter of the Application of Shoshone Natural Gas Company, an Idaho corporation, for a Certificate of Convenience and Necessity. (re: Applications for Certificates of Convenience and Necessity)

JUSTICE COURT**(Closed)**

- 2227—Concrete Processors, Inc., a corporation v. R. P. Peterson as Director of Motor Fuels for the State of Idaho.

BEFORE THE FEDERAL POWER COMMISSION**(Pending)**

- 2188—In the Matter of Application for License for Mountain Sheep-Pleasant Valley Hydro Electric Project on the Middle Snake River in the States of Idaho and Oregon, by Pacific Northwest Power Company. (re: Application for Hydro Electric Development)
- 2272—In the Matter of Pacific Northwest Pipeline Corporation and El Paso Natural Gas Company.
- 2288—In the Matter of Northern Lights, Inc.

PROBATE COURT**(Closed)**

- 2294—In the Interest of Jenaye Peterson, a Child under the age of 18 years. (re: Youth Rehabilitation Act)

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

- 2052—Andreas Aikele et al. v. Mark R. Kulp, as Reclamation Engineer and Roy Thompson as Supervisor of Water Distribution, both of the Department of Reclamation of the State of Idaho. (re: Water rights)
- 2298—United States of America v. 350 Acres of Land, More or Less, Situate in Elmore County, Idaho, et al. (re: Condemnation)
- 2313—The State of Nevada ex rel Hugh A. Shamberger, State Engineer v. the United States of America. (re: Declaratory Judgment)

U.S. DISTRICT COURT**Utah District****Civil Cases (Pending)**

2075—David L. Freed, Daniel G. Freed and Peter Freed, dba Freed Finance Co. v. Inland Empire Insurance Company et al. (re: Receivership of Insurance Company)

STATE INSURANCE FUND**List of Cases Pending and Closed—1956-58****INDUSTRIAL ACCIDENT BOARD****(Pending)****Vs. STATE INSURANCE FUND**

August Wm. Blom
Curtis Stonestreet

Emil Reimer
Carol Manning

(Closed)**Vs. STATE INSURANCE FUND**

William Kaskie
Robert Rhodes
Fred P. Adams
Lloyd Schreiber
Clarence Larsen
Edward W. Laird
Alfred Quincy
Michael Weeks
Kenneth Reichow
Frank Zacharias
John Tubbs
Fred C. Mohr
LeRoy Funk
Ivan Dumbrasky

Merrill H. Fore
Oscar R. Hewett
Max Mewwhinney
Merlin H. Peck
William F. Burns
Marion R. Banks
Porter L. Ramsey
Paul M. Dalling
Ross Lee
Edward Burgess
Robert Eskridge
James Wooderchak
Janette Rowsey
Alice Whiffin

SUPREME COURT**(Closed)****Vs. STATE INSURANCE FUND**

Mervin H. Miller
John Branson
Robert H. Lewis
Charles F. Russell
Wm. Darvell
Wilford Crowther

Wm. Byron Hoffman
Edward Laird
Wendell Hillenbrand
John R. Atwood
Clarence Larsen

DISTRICT COURT**(Closed)****Vs. STATE INSURANCE FUND**

R. W. Coleman
Warren Avery
A. Verhi

Barker & Hess Construction
Washington Water Power

ATTORNEY GENERAL'S REPORT

EMPLOYMENT SECURITY AGENCY

Two formal legal opinions were rendered during the period July 1, 1956 to June 30, 1958, covering the following:

1. **Executive Director, Employment Security Agency,**
August 8, 1957

Statutory Authority to use moneys credited to the State by virtue of Section 903, Federal Social Security Act, for the purchase of real property and the construction of office buildings to be used as local office of the Employment Security Agency.

2. **Executive Director, Employment Security Agency,**
August 16, 1957

Supplemental Unemployment Benefit Plan. Armco Steel Corporation, Middletown, Ohio.

During the biennium ending June 30, 1958, the attorney assigned to the Employment Security Agency by the Attorney General has rendered seventeen informal opinions.

**List of Cases Pending and Closed
(1956-1958)**

**IN THE SUPREME COURT OF IDAHO
(Pending)**

- In the Matter of the Claim of Robert B. Berg for Unemployment Insurance Benefits.
- In the Matter of the Claim of Theodore O. Lystad for Employment Security Benefits.
- In the Matter of the Claim of Glenn V. Watts for Employment Security Benefits.

(Closed)

- In the Matter of the Claim of Nye Blewett for Employment Security Benefits. (Dismissed)
- In the Matter of the Claim of Ivan E. Hatch for Employment Security Benefits.
- In the Matter of the Claim of Lois L. Johns for Unemployment Insurance Benefits.
- In the Matter of the Liability of Markham's, Inc., for Payment of Contributions under the Employment Security Law.
- In the Matter of the Liability of Potlatch Forests, Inc., for Payment of Contributions under the Employment Security Law.
- In the Matter of the Liability of Trucking, Inc., for Payment of Contributions. (Dismissed)
- In the Matter of the Claim of Fred Ziemer for Employment Security Benefits. (Dismissed)

IN THE DISTRICT COURT
(Pending)

STATE OF IDAHO VS.

William Atkinson
Ted Barnes

(Numerous fraud cases have been
forwarded to the Prosecuting
Attorney's Office for Action.)

(Closed)

STATE OF IDAHO VS.

Rex J. Dick
Homer Hoobler
Eugene Houska
Willard F. Jones
Marvin Kates

Leonard E. Kelly
Arnel D. Madsen
Patrick J. Reilly
David H. Walker

Five hundred eleven delinquent cases have been collected in full by
the tax lien system.

Sixty-two Executions on tax liens have been filed with the sheriff of
the pertaining county.

In addition 57 Proofs of Claim have been submitted to the Referee
in Bankruptcy for collection, and eight Creditor's Claims have been filed
against delinquent employers.

IN THE PROBATE COURT
(Fraud cases changed to a felony)

IN THE JUSTICE COURT⁴
(Fraud cases changed to a felony)

BEFORE THE INDUSTRIAL ACCIDENT BOARD
(Pending)

IN THE MATTER OF THE CLAIM OF (for Employment Security Benefits):

Amos, William
Arambarri, Lewis
Butler, Mary C.
Evans, Steve
Fausett, Martha M.
Getchell, Donald
Gorrell, Vena
Holtzheimer, Martin A.
Johnson, Ralph O.
Kowallis, Otto K.
Molise, Edwin C.

Murphy, Marion E.
Novis, Lawrence W.
O'Toole, R. P.
Perkins, Wallace A.
Rush, Charles T.
Salesky, Don R.
Steensma, Kenneth L.
Swanson, Oliver W.
Tilman, Carl
Walker, Paul
Warner, Winnifred B.

(Closed)

IN THE MATTER OF THE CLAIM OF (for Employment Security Benefits):

Anderson, Mildred
Arthurs, Roy J.
Baker, Charles D.
Baker, Clarence I.
Beaulieu, Ray A.
Becker, Victor G.
Bender, Paul B.
Billingsley, Blanche
Blair, Earl M.
Bourner, Thomas C.
Boyer, Roy, Sr.
Brendel, Boyd D.
Brotzman, George
Brunelle, Leo
Burkholder, Dana
Byers, Florence Mae
Castimore, LaFayette J.
Cerutti, Andrew
Clark, Henry T.
Cormick, Mike
Crowther, Earl
Davis, Florence E.
Davis, Thurman L.
Demus, Gus
Downend, Harold O.
Dunn, Jesse F.
Dunseth, Frank L.
Eastepe, James A.
Finch, Eugene
Finney, Alvin C.
Fitzwater, Russell O.
Goodnough, Harvey T.
Greene, Lola
Groseclose, Blondell E.
Hall, James H.
Hayden, Margery L.
Hazelton, Leon A.
Henry, Roy E.
Holliday, Ralph J.
Jennings, Edward E.
Johnson, Richard M.
Johnston, Audra H.
Jordan, Steve W.
Kinney, Edsel K.
Kvalvik, Ralph E.

Lang, Calvin W.
Lantis, Wilma L.
Larson, Noel W.
Larson, Oscar
Lathrom, William F.
Lee, Ruben O.
Legarie, Emil J.
Lenz, Marilyn
Losh, Henry
Loudon, Charles M.
Lusk, Wendell T.
MacDonald, William
Maio, Gracie
Mallard, Liston L.
Maness, Margie
Marvin, William P.
McClaren, Georgene
McGuire, William E.
Mills, James E.
Mills, Kermit D.
Mowery, Chester D.
Oldham, Raymond
O'Rorke, Bartly
Oyler, Virgil G.
Pendergrass, John V.
Pettis, John E.
Phillips, E. A.
Pogue, Robert
Powers, Fannie
Priest, Kenneth J.
Reid, Mildred
Robinson, Robert D.
Roeder, Julius R.
Root, James N.
Roseboroug, Rosemond B.
Rundle, Robert D.
Santero, Edward R.
Sherrill, Bennie Ward
Skoglund, John
Smith, Pauline
Spelgatti, John
Standish, Lloyd M.
Stapleton, Ralph
Stokes, Betty
Tappan, Ella E.

Van de Grift, Lorraine	Wineteer, Elva E.
Wagner, Calvin E.	Wolverton, Olive
Whalen, James M.	Worrell, Billy N.
Willford, Wanda	Wyatt, Rita J.
Willoughby, Doris L.	Young, Mary S.

IN THE MATTER OF THE LIABILITY OF (for Payment of Contributions
Under the Employment Security Law):

(Pending)

W. D. Zavala

(Closed)

J. E. Hall

James C. Toomey

V. A. Walch

OFFICE OF TAX COLLECTOR—INHERITANCE TAX DIVISION

IN THE MATTER OF THE ESTATE OF:

	Court	Status
Edgar L. White	Supreme	Pending
Albert Schweitzer	Supreme	Pending
Albert Lafferty	District	Closed
Elsie M. Swan	District	Closed
Cora M. Trummel	District	Closed
Shelley Edward McLain	District	Closed
Luella D. Green	District	Closed
Margaret A. Woodmansee	District	Closed
Anna D. Morrison	District	Closed
Emma Hurst	District	Closed
Maud L. Hunter	District	Closed
Earl P. Riddle	District	Pending
O. D. Shook	District	Pending
C. E. Keating	District	Pending
Carl C. Christopherson	Probate	Closed
J. F. Chermak	Probate	Closed
Fred M. Aldrich	Probate	Closed
Signa E. Johnson	Probate	Closed
Madge Fohl	Probate	Closed
George W. Dean	Probate	Closed
George Louwie	Probate	Closed
Mildred Gogenola	Probate	Pending
Lena Martin	Probate	Pending
C. R. Campbell	Probate	Pending
W. H. Jackson	Probate	Pending
Ellen Nordholm	Probate	Pending
Mildred Goodrich	Probate	Pending
Jean B. Chisholm	Probate	Pending
H. H. Rhodes	Probate	Pending
Elsie Preuninger	Probate	Pending
Milo Flannery	Probate	Pending
E. L. Shaw	Probate	Pending

DEPARTMENT OF HIGHWAYS
List of Cases Pending and Closed—1956-58

DISTRICT COURT
Civil Cases (Closed)

- 4 State of Idaho, on relation of the Idaho Board of Highway Directors v. Garibaldi Bros., and John Goni. (re: Damages)
- 1920 State v. Guy O. Ghigleri. (re: Injunction)
- 2021 State v. W. H. Rugg, et al. (re: Condemnation)
- 2103 State v. Viola Allison, et al. (re: Condemnation)
- 2106 State v. Jesse J. Robertson, et ux. (re: Condemnation)
- 2109 State v. Frederick K. Horn, et ux., Mrs. H. J. Pace. (re: Condemnation)
- 2110 State v. Leo Van Luven, et ux. (re: Condemnation)
- 2145 State v. Sheldon H. Pierce, et ux. (re: Condemnation)
- 2146 State v. Leslie Earl Purkey, et al. (re: Condemnation)
- 2152 State v. Herman C. Ostermeyer, et al. (re: Condemnation)
- 2154 State v. Darrell L. Field, et ux. (re: Condemnation)
- 2155 State v. E. B. Summers, et ux. (re: Condemnation)
- 2204 State v. Warren L. Bush, Administrator. (re: Condemnation)
- 2205 Theodore Braun v. State of Idaho and Robert R. Alleman. (re: Personal injury)
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- 2218 State v. R. W. Hudelson, et al. (re: Condemnation)
- 2219 State v. Kenneth C. Litz, et al. (re: Condemnation)
- 2251 State v. L. H. Rasmussen, et ux. (re: Condemnation)
- 2252 State v. Chester L. Freckleton, et ux. and Kenneth W. Law, et ux. (re: Condemnation)
- 2253 State v. Joseph F. Vantroba, et ux. and First Federal Savings & Loan Assn. of Coeur d'Alene. (re: Condemnation)
- 2256 State v. Roscoe C. Rich, David P. Jones and Leonard K. Floan, Directors of the Idaho Board of Highway Directors; G. Bryce Bennett, State Highway Engineer; Karl F. Tuttle Engineering Company, Inc.; Rulon Swensen, Auditor; and Ruth G. Moon, Treasurer for the State of Idaho. (re: Injunction)

- 2257 State v. Daisy L. Throckmorton. (re: Condemnation)
- 2258 State v. Harold Henriksen, et ux. (re: Condemnation)
- 2262 State v. Ira O. Fisher, et al. (re: Condemnation)
- 2269 Monsanto Chemical Company v. Thomas M. Cellan, et ux. and The State of Idaho. (re: Injunction)
- 2270 Onaindia v. State of Idaho and Charley N. Hudson. (re: Damages)

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- 1 State v. Axel R. Nelson, et ux. (re: Condemnation)
- 3 Vince Turcotte, et ux. v. State of Idaho, et al. (re: Inverse condemnation)
- 5 State v. Zirbel Truck Lines, Inc., et al. (re: Damages)
- 6 State v. Orville Bowers and John Hancock Mutual Life Insurance Company. (re: Condemnation)
- 7 State v. Arch Morris, et ux.; The Commercial Security Bank of Ogden and Farmers Home Administration. (re: Condemnation)
- 8 State v. Clarence R. Webb, et ux.; Joseph G. Lynch, et ux. (re: Condemnation)
- 9 State v. V-1 Oil Company and Idaho Bank of Commerce. (re: Condemnation)
- 2 State v. Bernard Deubel, et ux. (re: Condemnation)
- 12 George H. Scatterday and Helen M. Scatterday, a widow, v. State of Idaho. (re: Inverse condemnation)
- 13 State v. W. W. Lowery, et ux.; A. L. Gurley, Jr. and Jay Snyder. (re: Condemnation)
- 14 State v. E. E. Apgood, et ux.; John M. Lytle, et ux. (re: Condemnation)
- 15 State v. Leslie C. Kienke, et ux. (re: Condemnation)
- 2025 R. V. Swanson, et ux. v. State of Idaho, et al. (re: Quiet title)
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- 2150 R. J. Burns, et al. v. State of Idaho, et al. (re: Inverse condemnation)
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- 2207 George E. Perry v. State of Idaho. (re: Injunction)
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- 2212 Kenneth Grindheim v. G. Bryce Bennett, State Highway Engineer. (re: Injunction)
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- 2214 Stanley L. Lobdell, et ux. v. G. Bryce Bennett, State Highway Engineer. (re: Injunction)
- 2259 George McDonough, et ux. v. Roscoe C. Rich, et al. (re: Quiet title)
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- 2265 State v. LaMont L. Bair, et ux.; Dale Wood, et ux. (re: Condemnation)
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- 2267 State v. L. L. Burdick, et ux.; and The Texas Company. (re: Injunction)
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- 2102 State v. Joseph L. Hansen, et al. (re: Condemnation)
- 2017 Ernest V. Hughes, et ux. v. State of Idaho, et al. (re: Inverse condemnation.) (Set for re-trial.)
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- State v. W. E. Wolfe, et ux. (re: Condemnation)
- 2263 State v. Idaho Power Company and Mountain States Telephone and Telegraph Company. (re: Declaratory judgment)

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- 2260 Mrs. Belle Shaw, et al. v. The State of Idaho and The Slate Hall Construction Co. (re: Damages)