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## WHO IS THIS FORGOTTEN MAN— WHAT OF THE LAWYER?

By EARLE L. SHAW, *of the Denver Bar*

**H**EAR ye! hear ye! hear ye! the plea of the real forgotten man—hear the plea of the lawyer groveling in the unknown land, alone, unheeded, unaided—cloaked with despair and misery.

His plea? “Thou who has taken from, returneth, please!”

Listen, ye sons of might, while he speaketh: “Aye, my divorce business has gone commercial on a grandiose scale in Reno and in Mexico; my criminal law lies in the hands of a few bombastic, arm-swinging, racketeering shysters; my abstracts and trust deeds are now read by Guaranty and Real Estate Companies and a Federal Government with set fees for the perusal thereof; my bankruptcy practice finds its dictator in a Federal Staff with the last vestige of fee given a depression cut; my insurance practice has become standardized by well-paid, scientific managers and adjusters; my claim adjustments and damage suits are now basically governed by the political entity known as the State, which with its Workmen’s Compensation Acts, its Industrial Commission Acts and Child Labor Acts make of the duly qualified attorney a mere automaton; my commercial practice finds itself in the hands of Agencies which practice without license before the J. P. and Municipal Courts; my trust and estate work is taken from me by an obsolete institution known as a bank, which institution by the same token of shady confidence, tends to govern and administer the Negotiable Instruments business—ye gods! ye gods! What next?”

In the not long ago a bank held a sacred trust, its officials, worthy citizens, giving haven to poor trusting souls; now the times and interest have changed. Banks mismanage the funds of the living and close their doors in default—yet they, the brazen hussies, would seek the administration of

the funds of the dead—if they can't manage the funds of the living how can they secure safety to the funds of the dead? Time was when a bank gained the confidence of its patrons by dealing with their monies exclusively; now they mislead a long-suffering public by handling everything from bolts to battleships. Banks have destroyed the personal equation in making wills, they have reduced character to a stereotyped form, ever placing the Trust Clause paramount in documentary testatorship; once they held the confidence of the people, now the Government is hot on their tail for alleged spurious practices.

Who is the forgotten man? What with chain grocery stores, chain drug stores, chain wallpaper and paint companies, chain hardware stores, holding companies, the City and County and State and Federal Departments all practicing the ancient and profound *legibus solutus*—and without license—who is the forgotten man?

What with new roads built under a Federal Aid Project, what with seafaring men log-rolling through a kindly government the vast River and Harbor Bills, what with youth being served under the Forest Army plan—unskilled laborers, statisticians, engineers, dentists, chiropractors, mariners, time-keepers, storekeepers, *ad infinitum* come into their own monetary rights; but what of the lawyer? What of the doctor?

A wise and just government has given them auxiliary remedy to replenish depleted exchequers! Once a doctor pulmotored a patient suffering from the ravages of bootleg liquor; now the Doc. adjusts his apron and serves the patient his own supply—and if the patient passes out and under the table with little green elephants flitting gaily about the laboratory—the Doc. can operate in his own dispensary.

Once a druggist was content to advertise his wares with mortar and pestle, or a green and red globe in a fly-speckled window, now he scatters sawdust on the floor and yells, "come and get it!"

Once a restaurateur sold American food, wholesome and filling, now he goes in for Rhenish pretzels and lager brew.

Once a real estate man negotiated trades, sales and rents concerning hereditaments and tenements; now he keeps his strong box and seals in the Recorder's Office for the preparation of Title Deeds.

Once a state politician heckled his constituents for votes by the lead pipe method; now he coerces them by suit, e. g., State vs. John Doe, Complaint, under the Motor Vehicle or Oil License Laws.

Once a Federal Government remained within its constitutional powers; now it practices law for its own good-will through multitudinous Bureaucratic Departments.

Once a corporation welded steel ingots into wire and rail; now it maintains its regal seat in the Nation's Business by a strong, unlicensed lobby of legal chicanery.

Once champerty and barratry were outlaws under legal ethics; now Commercial Agencies flaunt their banner of exclusiveness full in the face of a disgruntled but powerless Judiciary.

Once a young man labored hard in grade, high and college institution for a degree which would entitle him to appear before an Inquisitorial Court of Judgment, there to be culled and curried for appearance before the Jealous Mistress; now that worthy patron of the legal arts is condemned by numerous groups of business buccaneers who, though they know not the difference between equity and law, practice the documentary rituals with avidity.

Why not let the man learned in his own sphere practice there?

Return unto him that which is his also.

Remember the Real Forgotten Man.