

January 1931

Dictaphun

Dicta Editorial Board

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DICTAPHUN

Five years and more now gone, Henry Wolcott Toll, ex, former, quondam and late state senator, started a magazine—yes he did—which was first described as *Unchristened Notes* of The Colorado Bar Association. The second number and the seven succeeding (there were no more—doxology) were called *The Jealous Mistress*. This name was the brain child of the following distinguished group, some of whom are now in office, that is to say: W. W. Grant, Jr., penologist, Harrie M. Humphreys, counselor at law, Edward Ring, raconteur, Richard H. Hart, grievances, Julian H. Moore, wotajudge, Donald C. McCreery, local lawyer without a Washington partner, Hamlet J. Barry, Republican committeeman, Ben Hilliard, former lawyer, and Robert W. Steele, the juvenile district judge. Anyway, Richard (Big Dick) Peete thought of the name and the committee appropriated it.

The result of the choice of that name, leaving aside the demise of the magazine, was to stir up great minds both here and abroad to ascertain who first said that the law is a jealous mistress. The erudite Mr. Toll could not say, Dean Pound was at a loss, the American Bar Association could not answer. In fact, the name of the author could not be discovered.

By a singular coincidence the name of the author of the word "Dictaphun" is also a mystery. And if he is a wise man he will keep his identity concealed. The only proper place for the use of that vile expression is in a contest soon to be inaugurated for the worst pun of 1931. Prize: The same one offered for a name for this department in Dicta for December, viz., huge.

TWO (2)—BIG CONTESTS—(2) TWO

Know ye, that by authority of the Editors, two (2) contests have been officially decreed. What the lucky winners will receive is to be determined by the Prize Group of the Denver Bar Association. Predictions are being freely made that the original of the manuscript from which this is to be printed will be given as one of the awards. It will not be autographed.

CONTEST NO. ONE!

The Split Infinitive Sweepstakes.

Who may participate: Judges of the Supreme Court.

Winner will be: The judge who uses the most split infinitives in Volumes 88 and 89, Colorado Reports.

Rules: Employment of professional infinitive splitters barred. Split infinitives used in per curiam opinions will be divided into seven parts and equitably distributed among the contestants. Infinitives split by one word, one point; by two words, three points; by three or more words, five points; by a prepositional phrase, twenty-five points. Split infinitives used in quotations from Colorado statutes, no credit; those used in quotations from other courts (Arkansas excepted), one-fourth point; Arkansas splits, one-half point off each.

Prize: To be announced as aforesaid. But well worth striving for.

CONTEST NO. TWO!!

Dissenting Opinion Handicap.

Who may participate: Judges of the Supreme Court (Republican).

Who may *not* participate: Judge of the Supreme Court (Democratic).

Winner will be: The judge who writes the most dissenting opinions in 1931.

Rules: They'll be needed.

Prize: Rhyming dictionary, 1927 Edition.

LEGISLATIVE BUREAU

To the members of the bar who have been in the Colorado legislature and to the members of the bar who will sit in that body during its 28th regular session the Editors respectfully dedicate (and endorse) the statement of Chief Justice Hayt in *Catron v. The Board of County Commissioners of Archuleta County*, 18 Colo. 553, 558:

“ . . . Legislators, frequently, and sometimes good lawyers . . . ”

POETRY SECTION

Those who think our claim that there is no meter in Grant, Ellis, Shafroth and Toll¹ was unfounded are left to judge for themselves if the lines below fall within the classification of aeolian. These lines were submitted by a nameless (so far as we know) individual.

You say that you struggled with partnership names
 To put into readable verse;
 Not even Lee Casey could put them in rhymes
 In a meter that's fit to rehearse.
 You surely are wrong; your medullas are thick;
 Right feetly the syllables roll;
 Pershing, Nye, Tallmadge, Bosworth and Dick
 And Grant, Ellis, Shafroth and Toll.¹

Take it or leave; we leave it.

NOTE OF GRATITUDE SECTION

The Editors desire to express their thanks to those who were good enough to suggest material for this department. The material submitted is in the hands of the censors and will reach print if three things survive, to wit, from left to right: (1) The Editors, (2) Dictaphun, and (3) Dicta.

The Editors desire also to hope that others will favor us with suggestions and material. Criticism will be tolerated as well as unheeded.

1. Advertising Department of Dicta, 828 Symes Bldg., Denver. The advertising manager has just notified the Editors that Grant, Ellis, Shafroth and Toll must positively pay Dicta the same rate they pay the classified section of the telephone directory or no more mention of Grant, Ellis, Shafroth and Toll.