

January 1927

## The Bar Primary

Denver Bar Association Record

Follow this and additional works at: <https://digitalcommons.du.edu/dlr>

---

### Recommended Citation

The Bar Primary, 4 Denv. B.A. Rec. 15 (1927).

This Article is brought to you for free and open access by the Denver Law Review at Digital Commons @ DU. It has been accepted for inclusion in Denver Law Review by an authorized editor of Digital Commons @ DU. For more information, please contact [jennifer.cox@du.edu](mailto:jennifer.cox@du.edu), [dig-commons@du.edu](mailto:dig-commons@du.edu).

---

## The Bar Primary

readily be seen that it cannot have any effect either on taxes or the levy.

Another important consideration has been the keeping of a proper equalization in the ratio of assessment among Denver and the other counties. This has been accomplished through the co-operation of the State Tax Commission, who each year make extensive comparisons of assessed values with transfers

from which is determined an average for the state. It is our duty to the state as a whole to assess on as high a basis as the other counties. It is likewise our duty to the citizens of our own county not to assess on a higher basis than do the other counties. It has been our purpose to see that an equitable balance is maintained so that justice will be done all around.

## *The Bar Primary*

ON December 2, 1926, the Joint Primary Committee composed of the members of the Judiciary and Judicial Selection Committees of this Association adopted the following rules for the holding of a Bar Primary:

"In accordance with a resolution of The Denver Bar Association, the Judiciary Committee and Judicial Selection Committee have adopted the following rules for the holding of Bar Primaries to make recommendations to the Governor for the successor to Judge Charles C. Butler on the District Bench:

1. All practicing lawyers in Denver, as well as members of The Denver Bar Association, will be entitled to vote at the primaries to be held.

2. Two primaries shall be held.

3. Any practicing Denver lawyer may be a candidate, and his name may be submitted by letter either by himself, or by any other lawyer. No acceptance is required for the first primary.

4. ALL NOMINATIONS MUST BE IN THE HANDS OF THE SECRETARY OF THE ASSOCIATION ON OR BEFORE 12 O'CLOCK NOON ON WEDNESDAY THE 8TH DAY OF DECEMBER, 1926.

5. In making nominations the party affiliation of the candidate shall be stated.

6. A printed list of all candidates proposed will be furnished the voters before the first primary, there being a separate list for each party group.

7. At the first primary, each lawyer may vote for not more than 3 Democrats and 3 Republicans.

8. After the first primary is held the 6 highest candidates in each party group accepting the nomination shall be candidates in the second primary.

9. The 3 Democratic candidates receiving the highest vote, and the 3 Republican candidates receiving the highest vote at the second primary, shall be the persons to be recommended to the Governor.

10. All voting will be by mail and all ballots must be signed. To avoid duplications no unsigned ballots will be counted. All ballots will be treated as confidential, and will be opened only in the presence of the joint committee. Dates for voting will be announced later."

A copy of these rules was sent to every member of The Denver Bar Association and every practicing lawyer in Denver, as near as possible. The first ballot, designated Bar Primary Ballot No. 1, was mailed December 9, 1926, and contained the names of eleven Democratic and thirteen Republican candidates, together with the following instructions:

**"BAR PRIMARY BALLOT NO. 1.****Instructions:**

Every member of The Denver Bar Association and every lawyer practicing in Denver may vote for not more than three of the Democratic and for not more than three of the Republican candidates listed below and may vote for less than three if he desires.

PLEASE MARK YOUR BALLOT—PLACE IT IN THE ENCLOSED STAMPED ADDRESSED ENVELOPE AND SEAL THE SAME—SIGN YOUR NAME ACROSS THE LEFT CORNER OF THE ENVELOPE ON THE LINE PROVIDED FOR THAT PURPOSE—THEN MAIL IT.

Ballots must be returned to the Secretary by 12 o'clock noon on Tuesday, December 14, 1926. Ballots received in envelopes not signed as above will not be counted. Voters names will first be checked,—the ballots filed and the envelopes destroyed to preserve secrecy."

On Tuesday, promptly at two P. M., the entire joint committee met and first checked the names appearing on the envelopes with printed lists of lawyers. Thereupon, the envelopes were opened at random and the ballots removed and the envelopes destroyed. In this way, the element of secrecy was preserved.

On December 16, 1926, Bar Primary Ballot No. 2 was mailed and was as follows:

**"BAR PRIMARY BALLOT NO. 2.****Instructions:**

The names of the six high candidates at the first primary in each party group who have accepted the nomination of this Association appear below on this ballot.

The three Democratic candidates receiving the highest vote and the three Republican candidates receiving the highest vote at this—**THE SECOND**

**PRIMARY**—shall be the persons to be recommended to the Governor.

Every member of The Denver Bar Association and every lawyer practicing in Denver may vote for not more than three of the Democratic and for not more than three of the Republican candidates listed below and may vote for less than three if he desires.

PLEASE MARK YOUR BALLOT—PLACE IT IN THE ENCLOSED STAMPED, ADDRESSED ENVELOPE AND SEAL THE SAME—SIGN YOUR NAME ACROSS THE LEFT CORNER OF THE ENVELOPE ON THE LINE PROVIDED FOR THAT PURPOSE—THEN MAIL IT.

Ballots must be returned to the Secretary by 12 o'clock noon on Wednesday, December 22, 1926. Ballots received in envelopes not signed as above will not be counted. Voters names will first be checked,—the ballots filed and the envelopes destroyed to preserve secrecy.

**DEMOCRATS**

SANBORN, F. W. SR.  
STEELE, ROBERT W.  
RIDDELL, HARVEY  
BABB, HENRY B.  
MOWRY, W. F.  
COOK, W. FELDER

**REPUBLICANS**

MCDONOUGH, FRANK, SR.  
WHITE, WALTER E.  
HAINES, CHARLES H.  
BLAKENEY, CHARLES J.  
ORAHOOD, A. T.  
SAMPSON, JOSEPH C."

Some of the candidates who were among the six highest in each group at the first primary did not file acceptance to qualify for the second primary and therefore their names were not in the second groups which were voted upon in the second primary.

The three Democratic candidates and

the three Republican candidates receiving the highest vote at the second primary are named below in *alphabetical* order:

#### DEMOCRATS

RIDDELL, HARVEY  
SANBORN, F. W. SR.  
STEELE, ROBERT W.

#### REPUBLICANS

HAINES, CHARLES H.  
McDONOUGH, FRANK, SR.  
WHITE, WALTER E.

These are the six attorneys who will be recommended to the Governor for appointment to the position in question.

General Observations: For the first time in the history of the Bar Association primary activities, a really representative vote of the Association was obtained, over SIX HUNDRED ballots having been cast at the first primary and over SIX HUNDRED ballots having been cast at the second primary. Heretofore, the votes cast at the bar primary have been placed in a ballot box at the Courthouse, and the result has been that a representative vote of the Bar has never before been obtained. Widespread approval of the present method of holding a primary has been expressed by attorneys, and it is believed that the value of the bar primary as a true indication of the sentiment of the Bar has been greatly increased, due to the fact that approximately four-fifths of those eligible to vote have voted at these two primaries.

---

Baron Surrebutter—"A hard case. But hard cases make bad law."

Shade of Crogate—"I think bad law makes hard cases."

(Conversation between Baron Surrebutter and Edward Crogate, in *Crogate's Case—Holdsworth's History of English Law*, vol. 9, p. 423.)

### Bars

(Tune of "Smilcs")

There are bars that make us thirsty,  
There are bars that make us glad,  
There are bars that thrill us all to first  
see,  
There are iron bars that make us sad,  
There are bars that serve but for ob-  
struction,  
There are bars of gold and bars of  
sand,  
But the bar that saves us from des-  
truction  
Is the law that we understand.

—J. C. S.

---

### Fee Simple

A prominent member of the local Bar recently received the following letter which, in the light of the current discussion of the minimum-fee question, seems particularly appropriate:

Dear Sir:

Enclosed please find check to pay for certified copy of Mrs. \_\_\_\_\_'s divorce decree.

Your fee paid some months ago was considerably more than that paid the minister some fifteen years ago, but not out of proportion when you consider the service rendered.

---

### Noah Floated Company

A city business man was very keen on having proficient clerks in his employ. Before a clerk could enter his office he was required to pass a written examination on his knowledge of business.

At one examination one of the questions was: "Who formed the first company?"

A certain bright youth was a little puzzled at this, but was not to be floored. He wrote:

"Noah successfully floated a company while the rest of the world was in liquidation."