

11-15-1945
**Best Lawyers Be Convicted
Before the Bar Will Act?**

"I had a son preparing to be a lawyer, I'd kill him!"

So exclaimed a character in a stage play. And the audience applauded, heartily.

That line and the applause upset Justice Royal A. Stone, of the Minnesota Supreme Bench, who was in the audience. So much so that Justice Stone brought the matter before the American Bar Association Convention.

He urged that measures be taken to combat the "low plane" in which his profession had fallen in public estimation.

That was 15 years ago.

In 1945 the public finds the Secretary of the American Bar Association, Harry S. Knight, convicted at Scranton of conspiracy to defraud in a Federal bankruptcy case.

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During twelve of those 15 years, the court of the resigned Judge Albert W. Johnson, through which Knight's case passed, had been under one cloud of suspicion after another. The indictments charge 45 overt acts during those 12 years. One witness committed suicide rather than face inquiry.

So, bearing in mind that the American Bar Association maintains a special Committee on Ethics, it would have seemed appropriate for that committee to call upon the whole Association to:

- (a) Demand that a Judge, whose court was surrounded by so much odor, resign as a matter of judicial sanitation;
- (b) Suspend its implicated Secretary, even though members of the bar may have had confidence in his innocence.

What the A. B. A. did do was to RE-ELECT Knight as Secretary AFTER he had become involved in the case and to continue him as Secretary even after he was indicted for conspiracy.

Here was a plain lack of what Jefferson called "a decent respect for the opinions of mankind."

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We speak as plainly as we do because we are as concerned about public lack of confidence in the legal profession as was the Minnesota Justice, 15 years ago.

The A. B. A., by its own avowal, is the custodian of ethics for its profession.

It is natural and proper for the public to expect that a high officer of the Bar Association, like Caesar's wife, should not only avoid evil, but even the appearance of it.

The very ethics of the profession seem to recognize that it should not be necessary to convict a Judge, or a high legal official of crime in order to declare him unfit for his post. His associations and his conduct should be above reproach.

So, next time there is evidence that public confidence in the legal profession seems to be declining—let it be remembered that the custodians of the profession's good name were not on the job when the Knight case came up.

Frankly, if we were Chairman of the A. B. A. Ethics Committee, we would make an apology to the A. B. A. members, and to the

public, probably that's too much to expect. But it would be a sensible thing to do.

NOVEMBER 8, 1945.

In The Nation

A New-Old Approach to Current Problems

By ARTHUR KROCK

WASHINGTON, Nov. 7.—In making his survey of the economic and social condition of Massachusetts, as chairman of a committee created by an act of the State Legislature, Joseph P. Kennedy has been urging one particular approach to solution of problems which has attracted much local attention, and, having already produced excellent results, is likely to be noted more widely. He has counseled the citizens of his native State to attack unsatisfactory situations on a community basis instead of looking to the Commonwealth and to Washington for all remedies.

Mr. Kennedy has adopted his own advice successfully in dealing with immediate industrial problems at Salem and Framingham, and the city of Lawrence has performed a similar service for itself. The general thesis of the former Ambassador to Great Britain is that, if communities will tackle their troubles at first hand, they will find the situation can be localized and locally adjusted in many instances. But there must be in the communities, he has told audiences throughout Massachusetts, civic spirit, elements (such as newspapers, banks, business and labor leaders and successful citizens) with a sense of responsibility and local patriotism, and above this there must be realization of the new social and economic facts of American life.

To various cities in Massachusetts Mr. Kennedy has commented, without favor, on the fact that they have newspapers without the competition he considers generally helpful to a community; banks with too dominant an influence; rich men without an awakened sense of their communal duty; and labor leaders who are not thinking in community terms where a single industry furnishes a living to the entire population. He has counseled these cities to remedy their conditions by a local approach and a local pride that in early days had much to do with their establishment and growth. If these things are done, the ex-Ambassador has been saying, it will be surprising how many problems can be disposed of without appeal to the State House, the White House and the Capitol at Washington.

The Example of Lawrence

He has stressed the cohesive power, when properly engendered, of small communities with local spirit in contrast with large ones which have lost that spirit and turned to the general political authority. An instance he gave was that of the city of Lawrence, which raised \$1,100,000 for a hospital while great metropolitan cities were falling behind in reaching quotas for humanitarian projects that were far smaller per capita. And he improved his point by recalling that the loss of the textile industry by Lawrence—the sort of experience his survey was undertaken to repair and in the future

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