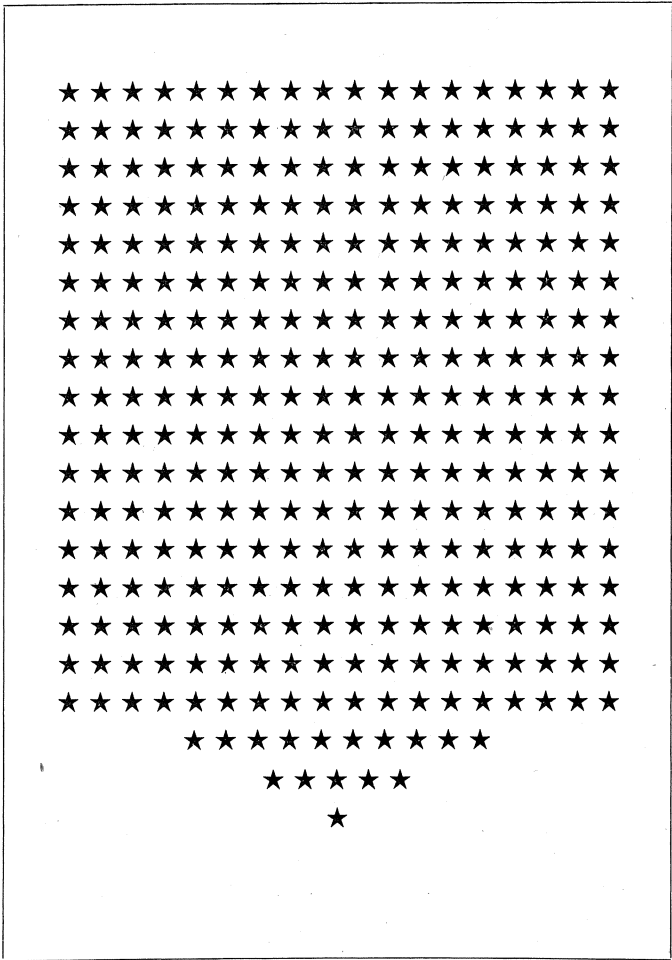


# KANSAS JUDICIAL COUNCIL BULLETIN

OCTOBER, 1942

PART 3—SIXTEENTH ANNUAL REPORT



The Service Flag of the Kansas Bar

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## FOREWORD

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As is customary in the October BULLETIN, the greater part of this issue is composed of the statistical tables showing business transacted in the various courts for the year ending June 30, 1942. These statistical tables have been shortened and revised as explained on page 97.

In connection with the gathering of probate statistics, we asked probate judges a number of questions concerning the manner in which they were handling some of the discretionary matters in their courts. The answers to these questions are not printed in the statistical tables but are discussed in a special article in this issue, entitled "Discretionary Practices of Probate Courts," by Mr. Samuel E. Bartlett, author of the probate code and member of the Judicial Council.

We are printing a supplemental list of Kansas lawyers in the military or naval service of the United States, which is intended to bring to date the list published on pages 46-54 of the July, 1942, BULLETIN. Copies of the original list are available and will be mailed upon request.

We are also printing some of our correspondence received from Kansas lawyers, with suggestions for the improvement of procedure, which we hope will be of interest.

On the inside back cover, we have included a list of the former members as well as the present members of the Judicial Council. Most of the accomplishments of the Council have been due to the industry of these former members, and we wish to preserve a record of their service on the Council.

We again remind our readers that the legislature will meet in January, 1943, and proposed statutory changes should be submitted to us at an early date if the consideration of the Judicial Council is desired before the legislative session.

### Kansas Lawyers in the Military Service

In the July, 1942, BULLETIN, pages 46-54, we printed a list of 254 lawyers then in the military or naval service of the United States. Since that time 68 lawyers have entered the service whose names have been reported to us and are printed in the following supplemental list. This makes a total of 322 Kansas lawyers in the service, as shown by the service flag on our cover.

We again urge all judges, lawyers and clerks to report promptly to the Judicial Council the names of any additional lawyers who have entered the service, so that they may be properly credited in supplemental lists.

Copies of the original list are available and will be mailed upon request, and supplemental lists will be published from time to time in order that this record may be kept up to date.

The Judicial Council BULLETIN will be mailed to lawyers in the military service, upon request, when their military addresses are furnished us.

#### SUPPLEMENTAL LIST OF KANSAS LAWYERS IN THE MILITARY OR NAVAL SERVICE OF THE UNITED STATES

(ALPHABETICAL)

Frederick G. Apt, Iola	Freeman B. Irby, Topeka
Harry P. Betzer, Topeka	Robert R. Jones, Topeka
C. E. Birney, Hill City	Robert Y. Jones, Lyons
Everett B. Blakeley, Fort Scott	Jay Kyle, Topeka
Colonel H. Boone, Leavenworth	Jake L. Liberman, Caney
John W. Brookens, Westmoreland	Frank W. Liebert, Coffeyville
Richard H. Browne, Burdett	Herbert L. Lodge, Olathe
W. D. P. Carey, Hutchinson	W. R. Lutz, Smith Center
Lawrence E. Christenson, Winfield	Ernest J. Malone, Hays
James E. Collingwood, Topeka	Fred A. Mann, Topeka
Henry D. Dangerfield, Topeka	Patrick Bevan McAnany, Kansas City
Worden A. Davis, Garnett	John C. McCall, Chanute
F. H. Dillenback, Troy	Forest V. McCalley, Wichita
Paul J. Donaldson, Wichita	Gale Moss, El Dorado
Charles H. Fleming, Scott City	Tudor M. Nellor, Kansas City
Frank T. Forbes, Eureka	Bert E. Newland, Ottawa
Tudor W. Hampton, Great Bend	Ralph W. Oman, Topeka
Andrew Stone Hartnett, Stafford	Olin K. Petefish, Lawrence
Paul L. Harvey, Topeka	Willard L. Phillips, Kansas City
Herbert Hobbie, Jr., Medicine Lodge	James W. Putnam, Emporia
Charles L. Hoover, Junction City	
John H. Hunt, Topeka	
H. N. Hyland, Washington	



Glendon Earl Rewerts, Leoti  
J. R. Rhoades, McPherson  
Leland W. Richardson, Topeka  
James V. Riddell, Wichita  
Frank W. Robieson, Winfield  
Clarence H. Robinson, Newton  
Kenneth P. Rockhill, Eureka  
Edward Rooney, Jr., Topeka  
Fred Rooney, Topeka

Jack Savage, Winfield  
Alfred E. Schroeder, Newton  
Hugh C. Scott, Kansas City  
Richard W. Shaw, Hiawatha  
George Rockwell Smith, Pratt

James E. Smith, Topeka  
Kenneth G. Speir, Newton  
Paul C. Steinrauf, Topeka  
J. Rodney Stone, Newton  
Richard A. Swallow, Oskaloosa

Prentice A. Townsend, Atchison

Theo. F. Varner, Independence  
William H. Vernon, Jr., Hutchinson

Paul H. White, Wichita  
Paul E. Wilson, Ashland  
George O. Wise, Newton

### SUPPLEMENTAL LIST OF KANSAS LAWYERS IN THE MILITARY OR NAVAL SERVICE OF THE UNITED STATES

(BY COUNTIES)

#### ALLEN COUNTY

Frederick G. Apt, Iola

#### ANDERSON COUNTY

Worden A. Davis, Garnett

#### ATCHISON COUNTY

Prentice A. Townsend, Atchison

#### BARBER COUNTY

Herbert Hobbles, Jr., Medicine Lodge

#### BARTON COUNTY

Tudor W. Hampton, Great Bend

#### BOURBON COUNTY

Everett B. Blakeley, Fort Scott

#### BROWN COUNTY

Richard W. Shaw, Hiawatha

#### BUTLER COUNTY

Gale Moss, El Dorado

#### CLARK COUNTY

Paul E. Wilson, Ashland

#### COWLEY COUNTY

Lawrence E. Christenson, Winfield  
Frank W. Robieson, Winfield  
Jack Savage, Winfield

#### DONIPHAN COUNTY

F. H. Dillenback, Troy

#### DOUGLAS COUNTY

Olin K. Petefish, Lawrence

#### ELLIS COUNTY

Ernest J. Malone, Hays

#### FRANKLIN COUNTY

Bert E. Newland, Ottawa

#### GEARY COUNTY

Charles L. Hoover, Junction City

#### GRAHAM COUNTY

C. E. Birney, Hill City

#### GREENWOOD COUNTY

Frank T. Forbes, Eureka  
Kenneth P. Rockhill, Eureka

## HARVEY COUNTY

Clarence H. Robinson, Newton  
Alfred G. Schroeder, Newton  
Kenneth G. Speir, Newton  
J. Rodney Stone, Newton  
George O. Wise, Newton

## JEFFERSON COUNTY

Richard A. Swallow, Oskaloosa

## JOHNSON COUNTY

Herbert L. Lodge, Olathe

## LEAVENWORTH COUNTY

Colonel H. Boone, Leavenworth

## LYON COUNTY

James W. Putnam, Emporia

## MC PHERSON COUNTY

J. R. Rhoades, McPherson

## MONTGOMERY COUNTY

Jake L. Liberman, Caney  
Frank W. Liebert, Coffeyville  
Theo. F. Varner, Independence

## NEOSHO COUNTY

John C. McCall, Chanute

## PAWNEE COUNTY

Richard H. Browne, Burdett

## POTTAWATOMIE COUNTY

John Wilbur Brookens, Westmoreland

## PRATT COUNTY

George Rockwell Smith, Pratt

## RENO COUNTY

W. D. P. Carey, Hutchinson  
William H. Vernon, Jr., Hutchinson

## RICE COUNTY

Robert Y. Jones, Lyons

## SCOTT COUNTY

Charles H. Fleming, Scott City

## SEDGWICK COUNTY

Paul J. Donaldson, Wichita  
Forest V. McCalley, Wichita  
James V. Riddell, Wichita  
Paul H. White, Wichita

## SHAWNEE COUNTY

Harry P. Betzer, Topeka  
James E. Collingwood, Topeka  
Henry D. Dangerfield, Topeka  
Paul L. Harvey, Topeka  
John H. Hunt, Topeka  
Freeman B. Irby, Topeka  
Robert R. Jones, Topeka  
Jay Kyle, Topeka  
Fred A. Mann, Topeka  
Ralph W. Oman, Topeka  
Leland W. Richardson, Topeka  
Edward Rooney, Jr., Topeka  
Fred Rooney, Topeka  
James E. Smith, Topeka  
Paul C. Steinrauf, Topeka

## SMITH COUNTY

W. R. Lutz, Smith Center

## STAFFORD COUNTY

Andrew Stone Hartnett, Stafford

## WASHINGTON COUNTY

H. N. Hyland, Washington

## WICHITA COUNTY

Glendon Earl Rewerts, Leoti

## WYANDOTTE COUNTY

Patrick Bevan McAnany, Kansas City  
Tudor M. Nellor, Kansas City  
Willard L. Phillips, Kansas City  
Hugh C. Scott, Kansas City

## DISCRETIONARY PRACTICES OF PROBATE COURTS

(Analysis of Information Furnished by the Probate Judges)

By SAMUEL E. BARTLETT

The probate code, in establishing a procedure for the administration of estates, had among its purposes (1) effectiveness, (2) simplicity, (3) economy, (4) uniformity, and (5) flexibility. While simplicity and economy were sought, they were not sought at the expense of effectiveness; and neither uniformity nor flexibility was sought at the expense of the other. The result was that many of the procedural provisions of the code vested in the probate courts a large discretion in matters of practice.

How this discretion is being exercised by the probate courts generally and what improvements may be made are matters of concern to the judges themselves and of interest to the public generally. In order that information might be obtained as to the actual workings of some of these procedural provisions and as to the manner in which the business of the probate courts is being transacted under them, a questionnaire was sent by the Judicial Council to each probate judge of the state. All of the probate judges promptly returned the questionnaires fully answered by them.

It should be here stated that the interest and coöperation of the probate judges in this respect are but indicative of their general interest and efforts generally in putting the probate code into effect and making its operation successful. The information thus furnished by the probate judges constitutes an interesting study, and should materially aid in improving administration under the code.

This paper undertakes an analysis of the questions submitted to the probate judges and their answers thereto, with some comments upon them. It should be understood, however, that any opinions herein expressed are the opinions of the writer and not necessarily those of other members of the Council.

### I.—PROBATE RECORDS

"59-212. *Books of record.* The following books shall be kept by the probate court:

"(1) An appearance docket, in which shall be listed under the name of the decedent, ward, insane person, or other person involved, all documents pertaining thereto and in the order filed. Such list shall show the nature of the document, the date of the filing thereof, shall give a reference to the volume and page of any other book in which any record shall have been made of such document, and shall state the charge therefor.

"(2) A claims docket, in which shall be listed under the title of the estate all claims filed against such estate. It shall show the number of the claim, the date of the filing, the name of the claimant, the amount of the claim, and the date of the adjudication, and the amounts allowed and disallowed, and classification.

"(3) A general index in which files pertaining to estates of decedents shall be indexed under the name of the decedent, those pertaining to guardianships under the name of the ward, those pertaining to insane persons under the name of such person, those pertaining to adoption of children under both the name and adopted name of the child. After the name of each file shall be shown the file number, the book and page of the appearance docket in which the documents pertaining to such file are listed, and the date of filing of the first document.

"(4) An index pertaining to wills deposited pursuant to section 56 (59-620) under the name of the testator.

"(5) An index to each book of record.

"(6) Books of record, kept for that purpose, in which the following documents shall be recorded by the probate court: (1) All wills admitted to probate; (2) all elections filed; (3) all letters of appointment issued; (4) all certificates of appointment filed; (5) all bonds filed; (6) all orders, judgments, and decrees, including inheritance tax orders; (7) such other documents as the court may determine. (L. 1939, ch. 180, § 14; July 1.)"

The foregoing code section specifies particular instruments and documents which shall be recorded; it then states that "such other documents as the court may determine" shall be recorded by the probate court. The following question was therefore submitted:

"What other papers do you require to be recorded under section 59-212, subsection (6), clause (7)?"

Twenty-five probate judges answered "none"; nine answered "practically none." Nine probate judges answered "all," and seven answered "practically all." The remaining answers were highly individual, including almost every paper which is filed in the probate court. One answered "all except receipts"; one answered "receipts for legacies and distributive shares"; and two answered "receipts showing payment of inheritance and estate taxes." One specified all petitions except those for allowance of demands, and one specified "all claims." Thirteen included all petitions, and ten specified all initial petitions, such as petitions for probate of wills and for administration. Two specified petitions for final settlement. Twenty-six named inventories and appraisals, eighteen named accounts, one of whom limited it to final accounts. Twenty-three included all proceedings concerning the sale of real estate, and a number mentioned generally all papers which would affect the title to real estate. Typical among the latter is the answer of Judge Birzer of Barton, which reads: "All papers that would generally appear on abstracts of title to real estate." Judge Hudson of Sedgwick reported: "All papers pertaining to the title to real estate."

In addition to the foregoing, five judges record transcripts from other counties, six record oaths of fiduciaries, several record notices by publication, other notices, and proofs of publication and service thereof, or some part of these items, and one judge includes notices by publication where real estate is involved. Five judges record assignments, agreements, and contracts pertaining to estates administered, and one judge records designation of resident agents by nonresident fiduciary.

Other significant replies include the following: Judge Dunlap of Allen: "Different attorneys' wishes." Judge Smith of Anderson: "All that I think necessary." Judge Hotton of Hamilton: "It depends on the papers." Judge Thompson of Cloud, referring to the probate code section above quoted, reported: "I believe the essential documents are enumerated in that section. In addition I only record important assignments, documents affecting titles, etc."

It is apparent from the foregoing résumé of the judges' answers that many divergent views exist as to what the court should determine to be recorded. An examination of their reports from the point of view of geographical location and population of counties does not suggest that location or population influenced the views expressed. Neither does the fact that the probate judge

is a lawyer or a layman seem to have affected the answers. One judge indicated that the matter of expense was an item to be considered.

In view of the divergence of opinions, it may be well to re-examine the statute. The statute provides for (1) an appearance docket, in which every paper filed is listed; (2) a claims docket, in which all claims are listed, showing (a) number of claim, (b) date of filing, (c) name of claimant, (d) the amount of claim, (e) date of adjudication, (f) amounts allowed and disallowed, and (g) classification; (3) a general index; (4) an index of wills deposited; and (5) an index to each book of record.

The statute requires that the following shall be recorded: (1) probated wills, (2) elections, (3) letters of appointment, (4) certificates of appointment, (5) bonds, (6) orders, judgments, and decrees, including inheritance tax orders.

Thus far the legislative intent is clear; the legislature has required that the foregoing shall be recorded. If the legislature had intended that all documents and papers filed in the probate court should be recorded, it undoubtedly would have said so, and could have said so in a very short sentence. It apparently did not contemplate that. If it had intended that all petitions should be recorded, it could and surely would have included petitions in the list. Judge Barnes of Pratt, who records other petitions, stated in substance that he did not record petitions for the allowance of demands because all pertinent information respecting them is contained in the claims docket.

What has been said of petitions may with equal force be said of notices, proofs of service, inventories, and the like, because they appear in practically every estate. The legislature, by not including them, apparently did not contemplate that they should all be recorded, at least in every case. But the legislature left the matter to the discretion of the court in each case; and the determination of the court controls.

A number of judges record all papers in proceedings where the title to real estate is affected. These proceedings may be said to be analogous to mortgage foreclosures, partition suits, and quiet title cases in the district court. *Quaere*: Should a rule, different from that generally followed in the district court, prevail here? The writer does not undertake to give the answer. The matter is, of course, for the probate court in its discretion to determine in each instance.

The legislature did not intend to put, and did not put, the probate court into a straight jacket; it recognized that in addition to the documents and papers required to be recorded, there may be others from time to time which should be recorded, and it therefore wisely vested in the probate courts the power and discretion to determine at all times and in all cases what those other instruments should be. Typical of such may be a nuptial agreement, which might be as material and effective to determine the ownership and distribution of property as a will, and, if so, the occasion for recording it might be as great as that for recording a will. It is apparent that no definite rule can be formulated on the subject to cover all cases; this is undoubtedly the reason the legislature did not undertake to formulate one, but left the matter to the discretion of the probate courts.

One other observation should perhaps be made. The probate judges are custodians of the records, files, and documents of their respective offices. Possibly the equipment and filing facilities of their respective offices and other circumstances relating thereto may have some bearing in determining what

additional documents should be recorded. In any event the variations in practices by the several judges indicate that the subject should receive further study.

## II. GUARDIANS AD LITEM

"59-2205. *Persons under disability.* The petition of a person under legal disability shall be by his guardian or next friend. When it is by his next friend the court may substitute the guardian, or any person, as the next friend. The court may appoint a guardian *ad litem* in any probate proceeding to represent and defend a party thereto under legal disability. (L. 1939, ch. 180, § 181; July 1.)"

The Judicial Council in its 1939 note to this section said: "The appointment of a guardian *ad litem* is discretionary; unnecessary in merely formal matters. If a contest is imminent or substantial rights are affected, one should be appointed." The following question was submitted to the judges.

"To what extent do you appoint guardians *ad litem* for minors in the administration of estates? (Check answer.)

Always..... Usually..... Occasionally..... Never.....

Twelve judges answered "always"; one answered "always unless represented by duly appointed guardian"; one answered "always on hearing of wills and sales of real estate"; one answered "always in sales, mortgages, and leases of real estate"; one answered "always in contested matters"; one answered "always where real estate is involved"; one answered "always when minor cannot be located"; nineteen answered "usually"; forty-eight answered "occasionally"; four answered "when necessary"; one answered "when reason justifies it"; one answered "only in case of necessity, which is rare" (Judge Fink of Cowley); one answered "never, only once"; four answered "never so far" or "no need so far"; and nine answered "never."

Under the former law no statutory provision was made for the appointment of a guardian *ad litem* in proceedings before the probate court; yet it seems to have been generally held that the power of appointment inheres in probate courts as courts of record. It therefore appears that the law has not been greatly changed by the provision that "the probate court may appoint a guardian *ad litem*." It is clear that a guardian *ad litem* is not necessary in all cases. A large majority of the judges indicate that an appointment in most cases would be mere formalism and an unnecessary expense. In many cases the interests of minors are represented by others who have identical interests. In others their interests appear to be favorably advanced by the proposed action. In others the appointment of a guardian *ad litem* seems necessary to protect their interests. It is, of course, for the court to determine under the circumstances of each case whether such is or appears necessary or to the interest of the minor.

## III.—POSSESSION OF REALTY

"59-1401. *Possession.* The executor or administrator shall have a right to the possession of all the property of the decedent, except the homestead and allowances to the surviving spouse and minor children. He shall pay the taxes and collect the rents and earnings thereon until the estate is settled or until delivered by order of the court to the heirs, devisees, and legatees. He shall keep in tenantable repair the buildings and fixtures under his control and may protect the same by insurance. He may by himself, or with the heirs or

devises, maintain an action for the possession of the real estate or to quiet title to the same. (L. 1939, ch. 180, § 99; July 1.)"

Two questions were submitted. The first was:

"Do you require a separate order for the executor or administrator to take possession of realty?"

Twenty-nine judges answered in the affirmative, and sixty-nine in the negative. Judge Thompson of Cloud said: "I think a separate order is an unnecessary encumbrance of the records, especially in the average case where the administrator is a member of the family. In important cases where a stranger is acting, I think it would be prudent to ask for a special order." Judge McCue of Shawnee said: "I direct the executor or administrator to take charge of all the real estate unless an order is made to the contrary." Other answers are "part of time," "usually," "usually no," "occasionally," "not always," "not unless controversial or litigated or when special administrator is appointed," "depends upon the condition of the estate."

The next and companion question submitted was:

"Do you require a separate order for the executor or administrator to set aside realty to the heirs and devisees pending administration?"

Sixty-five answered in the affirmative, and thirty-three in the negative. Other answers are "sometimes," "only to widows," "always advise it, but not all follow advice," "yes, unless same is specifically bequeathed by will."

Undoubtedly the executor or administrator has the right to possession without an order of the court, but the answers of the judges indicate that they deem an order in some cases as appropriate or prudent. This right to possession continues until the property is ordered delivered to the heirs and devisees, and the judges for the most part require a separate order if the delivery is made pending administration.

#### IV.—TRANSCRIPTS

"59-213. *Recordation in another county.* A duly certified copy of any probate proceedings or documents of record in the probate court of any county of the state may be filed and recorded in the probate court of any other county of the state, and when so filed shall have the same force and effect in such other county as in the county of origin. (L. 1939, ch. 180, § 15; July 1.)"

Perhaps the question submitted in connection with this section is subject to criticism. Transcripts from other counties in the state are in a separate category from those outside the state. The former are governed by the code section above set forth. The latter are governed, in part at least, by 59-2229 and 59-2230. It appears, however, that the judges understood what information was wanted and they furnished it. The question was:

"Do you require a petition and order for the admission of a foreign transcript to record?"

To this question seventy-nine judges answered in the affirmative, and nine in the negative. Eleven answered in substance "yes if from another state, and no if from another county." The remaining six answers were: "usually," "not always, although most transcripts have the petition with them," "often

the petition and order are filed by attorneys in cases of transcripts from another county," "yes, unless attorneys do not require it," "I let the attorney use his discretion as to this," "yes if the attorney desires to do so."

No criticism is made by the writer of the practices of the judges, and he has generally in such cases furnished a petition and proposed order for the admission and filing in the probate court of a transcript from another county in the state. It appears from the code provision, however, that such is not essential, and the failure of petition and order does not prevent the transcript when so filed from being as effective in the county of filing as in the county of origin.

#### V.—DISCRETION AS TO NOTICE OF HEARING

"59-2208. *Notice to be fixed by court.* When notice of any probate proceedings is required by law or deemed necessary by the court and the manner of giving the same shall not be directed by law, the court shall order notice to be given to all persons interested, in such manner and for such length of time as it shall deem reasonable. Any required notice may be waived in writing by any competent person or by any fiduciary. (L. 1939, ch. 180, § 184; July 1.)"

Some code sections direct that notice shall be given without specifying the kind of notice or the manner of service, and others give the court discretion as to whether notice shall be given and, if the court deems notice necessary, the kind thereof and manner of service. (See 59-2216, 59-2222, 59-2226, 59-2229, 59-2234, 59-2235, 59-2237, 59-2242, 59-2252, 59-2253, 59-2259, 59-2266, 59-2268, 59-2269, 59-2272, 59-2302.) The above-quoted code section is designed to govern in such cases. Under the foregoing section the court may order notice to be given pursuant to code section 185 (59-2209). In connection with these provisions two questions were submitted. The first was:

"Do you require published notices upon petitions where the probate code gives you discretion to determine the form of notice?"

Twenty-nine judges answered in the affirmative, thirty-one answered in the negative, forty-one answered "sometimes" or the equivalent of it, three answered "yes when real estate is involved." In the category of "sometimes" further comments were "depending upon the nature of the case," "unless personal service is convenient," "not unless facts make publication more feasible," "only in cases where there is cause or reason therefor," "whenever it appears proper," "where it seems justifiable," "only where necessary to protect interested parties." Judge Thompson of Cloud reports: "No, except where peculiar circumstances justify notice by publication. Costs of administration have been considerably increased under the new code, most of it for important and necessary improvements, but unnecessary costs should not be imposed."

It seems to the writer in cases where the court has the discretion, (1) when all the parties entitled to notice are adults and waive the otherwise required notice, and (2) when all the parties may be served either by personal service or by mail, the delay and expense incident to notice by publication should be avoided.

The other question submitted in connection with this subject reads:

"If not (that is, if not notice by publication), state what form of notice you ordinarily require upon such petitions?"



Seventy-three judges replied that they required personal service of written notice or such notice served by mail. A number specified they directed the notice to be by registered mail. Four replied that they required written waivers or consent. One judge stated: "Notice posted on the bulletin board in the probate court room at least 10 days prior to the date of hearing." Another said: "Occasionally in meager cases I have directed notices to be posted, thus saving time and expense." Another said: "sometimes written and in extreme cases verbal notice."

The procuring of waivers from adults and fiduciaries and notice by personal service or by mailing seem to be common and approved practices.

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## CHANGES IN STATISTICAL TABLES

Since the organization of the Judicial Council, it has been customary to print in the October BULLETIN the statistical tables prepared in our office, from reports received from the clerks and judges, showing the business transacted in the various courts during the preceding year ending June 30. There have been comparatively few changes in the form of these statistics from 1927 to 1941.

This year we have revised these tables, mainly in the interest of conservation of paper and reduction of printing expense.

We have eliminated the distinction between divorce cases and other civil cases in the principal summaries, but have separated contested cases from cases not contested, in the belief that this classification furnishes a sounder basis for comparison of the work of the courts. Heretofore, default judgments have been included under the heading "Trials," both in divorce cases and other civil cases, but the new tables show trials only in cases which are shown to have been contested.

We have preserved some of the separate statistics on divorce cases in tables A-5 and A-6 because of their sociological interest, and for the same reason have added the figures on marriage licenses and marriages performed by the probate judge, in the general probate table, C-1. For the same reason we have added table B-3, showing, for the state as a whole, the various crimes for which prosecutions have been commenced in the district courts, and the disposition of such cases.

As to the time element in disposing of cases, motions and demurrers, we have eliminated the detailed subdivisions, but have selected an arbitrary period for comparison purposes, showing the number and percentage which were disposed of within this period. The same is true as to pending cases in the district court and estates in the probate court. We realize that not all matters can be disposed of within the arbitrary time which we have selected, but this furnishes a quick basis of comparison between counties and districts and the state as a whole. In each instance, the percentages are calculated so that the higher percentage will show the most expeditious dispatch of business.

In the probate statistics, we have eliminated the items showing the value of estates and the allowances to fiduciaries and attorneys, for the reason that we did not feel that we were getting complete or accurate information. The percentage of fees reported, compared with the total assets, showed that our

reports had been colored by cases where no allowance was claimed because of family ties, or where attorneys were privately paid. We have thought it better to omit these figures than to have them used as a yardstick for the allowance of fees. As to the value of estates, our previous work has overlapped that of the inheritance tax commission, which is better equipped to secure exact information on this subject.

Other changes have been made, which are largely self-explanatory.

Mr. John H. Hunt, of Topeka, Kansas, worked with our committee in the revision of these statistical tables, while serving as state director of the survey of the administration of justice of the Section of Judicial Administration of the American Bar Association. We are deeply grateful to Mr. Hunt, who has since entered the military service of the United States, for his valuable assistance to the Council.

### COMMENT ON STATISTICAL TABLES

The collection and publication of statistics requires more labor than any of the other work of the Judicial Council, but we have felt that there has been less interest in this branch of our work than in anything else we have done. One prominent lawyer has written: "The statistical information that has appeared in the BULLETIN has hardly reached the dignity of ordinary chaff." We realize that many may have this feeling, but the law which created the Judicial Council (G. S. 20-2203) provides:

"It shall be the continuous duty of the Judicial Council to survey and study the judicial department of the state, the volume and condition of business in the courts, whether of record or not, the methods and rules of procedure therein, the time elapsing between the initiation of litigation and the conclusion thereof, and the condition of dockets as to finished business at the closing of terms.

"Under G. S. 20-2204, the Council must make written report to the governor of the work, the facts ascertained, etc., the report of which must be printed and distributed."

In the collection and publication of these statistics, the Council is performing the mandatory duty prescribed by this statute, and we believe these tables show some facts of interest to the judges and lawyers of Kansas.

For example, table A-2 comprises a "balance sheet" for the district courts in both civil and criminal cases. It shows the number pending at the beginning of the year, the number commenced, the number terminated, and the number pending at the close of the year. For the current year, there were more cases, both civil and criminal, commenced during the year than were terminated, which tends to show a lag in the disposition of business for the state as a whole. This was probably caused by the fact that a large number of lawyers entered the military service during this period, and their pending litigation was necessarily passed until other counsel could be secured.

Table A-3 shows that less than one-third of the civil cases in the district courts were contested, and that the contested cases were tried in the average time of 5.73 months from the date the petition was filed. Seventy-three percent of these cases were tried within six months from the date the petition was filed. Since these cases were all contested, this shows that our district courts are disposing of civil business in an expeditious manner.

Table A-4 separates motions and demurrers for the first time and shows that 83 percent of the pretrial motions and 84 percent of the posttrial motions were disposed of within 30 days from filing; but that demurrers took an average time of 64 days for disposition. This is not surprising, since demurrers go to the heart of the case and often end the litigation.

Table B-1 shows that over 90 percent of the criminal cases in the district court are disposed of by pleas or dismissals, that almost half of those convicted are paroled, and that about 10 percent of these paroles are revoked. It must be remembered that many of these paroles are in misdemeanor cases after the defendant has served a part of his sentence.

Table B-2 tends to show that contested criminal cases are tried even more expeditiously than contested civil cases. Eighty-five percent of the criminal trials were within six months from the time the prosecution was instituted. As to motions in criminal cases, 99 percent of the pretrial motions and 94 percent of the posttrial motions were disposed of within thirty days after filing.

Table C-1 is intended to give a comprehensive picture of the work of the probate courts, with its multiplicity of distinctive types of business. In addition to estates and guardianships, there are juvenile cases, insanity hearings, determination of descent, and the supervision of trusts, all of which form an important part of the judicial work of the probate judges. There are fewer habeas corpus cases and orders in the absence of the district judge, probably due to the frequent motion days now held by the district courts.

It is interesting to note that there were 2,110 proceedings for determination of descent, compared with 4,183 estates opened, which indicates that this useful procedure makes administration unnecessary in about one-third of the cases. Also, there were more estates closed than were opened, which shows progress in the disposition of estates. The same is not true of guardianships, where fewer were closed than were opened. There is some tendency on the part of guardians to abandon the proceedings without formal closing when the purpose of the guardianship has been served.

Table C-1 also shows the number of marriage licenses issued and the number of marriages performed by the probate judge. For the state as a whole, the judges perform about one-third of the marriages, but this varies greatly according to the county. For example, over two-thirds of the marriages are performed by the probate judge in Johnson county, but only about one-sixth in Shawnee and Sedgwick; and the number of licenses does not necessarily conform to the size of the county. The total of 26,763 licenses issued may be compared with 4,308 divorces granted as shown by table A-6.

Table C-2 shows the details of the estates handled in the probate courts during the year. We call particular attention to the column "Inventory or account during the year," for the reason that either an inventory or an account should be filed in each estate during any 12-months period. However, there were only 7,804 inventories or accounts filed, out of a total of 13,921 estates which were open during the year.

Table C-2 also shows that surety bonds are required in less than 20 percent of the estates, and that the testate and intestate estates were about even in number.

Table C-2 also shows that only 15 percent of the estates were closed within *fifteen months* from the date they were opened, which is indeed surprising in

view of the fact that the probate code makes it possible to close most estates in approximately one year. Also, the last column of table C-2 shows that only 42 percent of the pending estates have been pending less than one year. Reversing this figure we find that 58 percent of the 4,003 estates which were held over on June 30, 1942, had been pending for more than one year.

Table C-3 shows the details of guardianships and trusts in somewhat similar form. The outstanding fact shown by this table is that an inventory or account was filed in *only one-third* of the guardianships which were open, while accounts were filed in about 60 percent of the trusts under supervision. This also reflects the tendency of guardians to neglect the proceedings unless pressure is brought by the court.

No conclusions can be drawn from the number of guardianships pending, since a guardianship ordinarily lasts for a number of years and thus differs greatly from an estate, which should be closed as soon as reasonably possible.

Our attention has been called to the fact that our statistics do not show the entire work of either the district or the probate courts. For example, the district judges often issue orders upon a verified petition or hold hearings upon oral motions which are not separately reported, and the probate judges, particularly in juvenile work, handle many matters informally for obvious reasons. Our statistics are necessarily confined to the specific litigation and motions which are reported by the clerks, but it should be remembered that much of the time of both district and probate judges is consumed in the performance of their duties in matters which do not appear in these statistics.

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## SUMMARY OF THE WORK OF THE SUPREME COURT

The following is a summary of the work of the supreme court for the year ending June 30, 1942, and of cases pending July 1, 1942:

There were 293 appealed civil cases disposed of within the year ending June 30, 1942. Of these, 82 were dismissed without having been presented on the merits and 211 were submitted on the merits and written opinions filed. Of these cases, 133 were affirmed, 51 reversed, 1 modified, 8 affirmed in part and reversed in part, 2 affirmed in part and modified in part, 1 reversed and modified, and 15 were dismissed.

The court also disposed of 23 appealed criminal cases. Of this number, 4 were dismissed without having been presented on the merits and 19 were submitted on the merits and written opinions filed. Of this number, 13 were affirmed and 6 reversed.

The court also disposed of 27 original cases. Of this number, 6 were dismissed before having been presented on the merits, 4 writs of habeas corpus were denied, 17 cases were submitted on the merits and written opinions filed, resulting in judgment for plaintiff in 4 cases and for defendant in 13 cases.

This makes a total of 343 cases disposed of by the supreme court, of which 92 were dismissed without having been presented on the merits; 247 were submitted on the merits and written opinions filed, and 4 cases were submitted on the merits in which judgment was rendered for respondent but no opinions were filed.

The cases pending July 1, 1942, were as follows: 143 appealed civil cases, 19 appealed criminal cases, and 13 original cases, making a total of 175 cases.

Of the 247 cases submitted to the supreme court on the merits and in which written opinions were filed, in 22 cases the opinions were filed before the first regular opinion day, in 174 cases on the first regular opinion day, in 31 cases on the second regular opinion day, in 15 cases on the third regular opinion day, in 3 cases on the fourth regular opinion day, and in 2 cases on the fifth regular opinion day. The regular opinion day ordinarily is a month after the case is submitted; more accurately it is the Saturday of the week hearings are had the next month after the case is submitted.

In the 293 appealed civil cases disposed of within the year ending June 30, 1942, and the 143 pending on that date, the time between the date of judgment appealed from and the date notice of appeal was filed in the trial court is as follows: Within 10 days 64 cases; in 10 to 30 days, 100 cases; in 1 to 2 months, 195 cases; in 2 to 3 months, 28 cases; in 3 to 4 months, 17 cases; in 4 to 5 months, 7 cases; in 5 to 6 months, 5 cases; over 6 months, 9 cases; time not stated, 11 cases.

In the 293 appealed civil cases disposed of within the year ending June 30, 1942, and the 143 pending on that date, the time between the date notice of appeal was filed in the trial court and the date notice of appeal was filed in the supreme court is as follows: Within 5 days, 230 cases; within 5 to 10 days, 100 cases; within 10 to 20 days, 56 cases; within 20 to 30 days, 18 cases; within 1 to 2 months, 22 cases; within 2 to 3 months, 2 cases; time not stated, 8 cases.

In the 293 appealed civil cases disposed of within the year ending June 30, 1942, and the 143 pending on that date, the time between the date notice of appeal was filed in the supreme court and the date deposit for costs was made is as follows: Within 5 days, 108 cases; within 5 to 15 days, 79 cases; in 15 to 30 days, 102 cases; in 1 to 2 months, 32 cases; in 2 to 3 months, 2 cases; in 3 to 4 months, 1 case; no deposits made in 112 cases.

In the 211 appealed civil cases in which opinions were filed within the year ending June 30, 1942, the time between the date notice of appeal was filed in this court and the date the case was submitted on its merits is as follows: Within 3 months, 23 cases; in 3 to 4 months, 76 cases; in 4 to 5 months, 25 cases; in 5 to 6 months, 31 cases; in 6 to 7 months, 17 cases; in 7 to 8 months, 18 cases; in 8 to 9 months, 9 cases; in 9 months to 1 year, 10 cases; and over 12 months, 2 cases.

In the 23 appealed criminal cases disposed of within the year ending June 30, 1942, and the 19 pending on that date, the time between the date of judgment appealed from and the date notice of appeal was filed in the trial court is as follows: On the same day, 5 cases; not the same day but within 5 days, 10 cases; from 5 to 10 days, 7 cases; from 10 to 20 days, 8 cases; from 20 to 30 days, 6 cases; from 1 to 2 months, 1 case; from 4 to 5 months, 2 cases; time not given, 3 cases.

In the 23 appealed criminal cases disposed of by the supreme court within the year ending June 30, 1942, and the 19 pending on that date, the time between the date the notice of appeal was filed in the trial court and the date it was filed in the supreme court is as follows: Within 5 days, 22 cases; in

5 to 10 days, 13 cases; in 10 to 30 days, 5 cases; in 1 to 2 months, 1 case; time not given, 1 case.

In the 23 appealed criminal cases disposed of within the year ending June 30, 1942, and the 19 pending on that date, the time between the date the notice of appeal was filed in the supreme court and the date the deposit for costs was made is as follows: Within 5 days, 8 cases; in 5 to 15 days, 2 cases; in 15 to 30 days, 6 cases; in 1 to 2 months, 9 cases; in 2 to 3 months, 1 case; time not stated, 16 cases.

In the 19 appealed criminal cases in which opinions were filed within the year ending June 30, 1942, the time between the date the notice of appeal was filed in the supreme court and the date the case was submitted on its merits is as follows: Within 3 months, 9 cases; in 3 to 4 months, 2 cases; in 5 to 6 months, 2 cases; in 6 to 7 months, 2 cases; in 7 to 10 months, 3 cases; over 12 months, 1 case.

In the 293 appealed civil cases disposed of within the year ending June 30, 1942, the costs in the supreme court are as follows: Minimum amount, \$3.35; maximum, \$39.48; aggregate, \$3,653.48; average, \$12.47.

In the 23 appealed criminal cases disposed of within the year ending June 30, 1942, the costs in the supreme court are as follows: Minimum amount, \$4.25; maximum, \$31.50; aggregate, \$310.30; average, \$13.49.

In the original cases disposed of within the year ending June 30, 1942, the costs in 20 cases reported on are as follows: Minimum, \$4.00; maximum, \$477.02; aggregate, \$652.67; average, \$32.63.

In the year ending June 30, 1942, the court disposed of 501 motions, of which 466, or 93 percent, were disposed of in 30 days; average time, 8 days.

There were pending in the supreme court July 1, 1942, a total of 175 cases compared with 144 cases on the same date in 1941, 192 in 1940, 249 in 1939, 244 in 1938, 210 in 1937, 268 in 1936, 291 in 1935, 366 in 1934, 333 in 1933, 357 in 1932, 393 in 1931, 397 in 1930, 376 in 1929, and 341 in 1928.

In the 15 years the clerk of the supreme court has furnished us detailed information of the work of that court, it has disposed of 7,988 cases, of which 2,565 were dismissed before final submission, and 5,423 were submitted on the merits and written opinions filed.

## Supreme Court—Fifteen-year Summary

YEAR ENDING JUNE 30.	Cases.	Disposed of.	Dismissed.	Submitted.
1928.....	Appealed, civil.....	529	143	386
	Appealed, criminal.....	101	44	57
	Original.....	46	13	33
	Totals.....	676	200	476
1929.....	Appealed, civil.....	475	128	347
	Appealed, criminal.....	72	29	43
	Original.....	36	18	18
	Totals.....	583	175	408
1930.....	Appealed, civil.....	504	143	351
	Appealed, criminal.....	77	37	40
	Original.....	52	16	36
	Totals.....	633	196	437
1931.....	Appealed, civil.....	490	131	359
	Appealed, criminal.....	63	29	34
	Original.....	38	13	25
	Totals.....	591	173	418
1932.....	Appealed, civil.....	522	159	363
	Appealed, criminal.....	74	45	29
	Original.....	32	6	26
	Totals.....	628	210	418
1933.....	Appealed, civil.....	459	135	324
	Appealed, criminal.....	66	35	31
	Original.....	23	5	18
	Totals.....	548	175	373
1934.....	Appealed, civil.....	427	149	278
	Appealed, criminal.....	52	30	22
	Original.....	42	11	31
	Totals.....	521	190	331
1935.....	Appealed, civil.....	506	167	339
	Appealed, criminal.....	58	26	32
	Original.....	25	11	14
	Totals.....	589	204	385
1936.....	Appealed, civil.....	475	156	319
	Appealed, criminal.....	66	31	35
	Original.....	39	19	20
	Totals.....	580	206	374
1937.....	Appealed, civil.....	397	103	294
	Appealed, criminal.....	56	27	29
	Original.....	33	9	24
	Totals.....	486	139	347
1938.....	Appealed, civil.....	388	131	257
	Appealed, criminal.....	41	25	16
	Original.....	32	6	26
	Totals.....	461	162	299
1939.....	Appealed, civil.....	397	114	283
	Appealed, criminal.....	32	17	15
	Original.....	15	4	11
	Totals.....	444	135	309

## SUPREME COURT SUMMARY—CONCLUDED

YEAR ENDING JUNE 30.	Cases.	Disposed of.	Dismissed.	Submitted.
1940.....	Appealed, civil.....	426	117	309
	Appealed, criminal.....	31	10	21
	Original.....	39	20	19
	Totals.....	496	147	349
1941.....	Appealed, civil.....	314	103	211
	Appealed, criminal.....	31	14	17
	Original.....	64	39	25
	Totals.....	409	156	253
1942.....	Appealed, civil.....	293	82	211
	Appealed, criminal.....	23	4	19
	Original.....	27	6	21
	Totals.....	343	92	251
	Grand totals...	7,988	2,560	5,428



## DISPOSITION OF APPEALED CASES BY WRITTEN OPINIONS

YEAR ENDING JUNE 30.	Cases.	Affirmed.	Percent.	Reversed.	Percent.	Modified.	Percent.	Total.
1928.....	Appealed, civil.....	261	68	104	27	21	5	386
	Appealed, criminal.....	52	91	5	9	0	0	57
1929.....	Appealed, civil.....	238	69	94	27	15	4	347
	Appealed, criminal.....	39	91	4	9	0	0	43
1930.....	Appealed, civil.....	258	72	92	25	11	3	361
	Appealed, criminal.....	31	78	9	22	0	0	40
1931.....	Appealed, civil.....	258	72	73	20	28	5	359
	Appealed, criminal.....	28	82	6	18	0	0	34
1932.....	Appealed, civil.....	267	74	80	22	16	4	363
	Appealed, criminal.....	24	83	5	17	0	0	29
1933.....	Appealed, civil.....	215	66	87	27	22	7	324
	Appealed, criminal.....	26	84	5	16	0	0	32
1934.....	Appealed, civil.....	169	61	91	33	18	6	278
	Appealed, criminal.....	19	86	3	14	0	0	22
1935.....	Appealed, civil.....	211	62	116	34	12	6	339
	Appealed, criminal.....	26	81	6	19	0	0	32
1936.....	Appealed, civil.....	168	53	130	40	21	7	319
	Appealed, criminal.....	25	72	10	28	0	0	35
1937.....	Appealed, civil.....	194	75	88	22	12	3	294
	Appealed, criminal.....	24	83	3	10	2	7	29
1938.....	Appealed, civil.....	173	67	70	27	14	6	257
	Appealed, criminal.....	14	88	2	12	0	0	16
1939.....	Appealed, civil.....	207	73	59	21	17	6	283
	Appealed, criminal.....	14	93	1	7	0	0	15
1940.....	Appealed, civil.....	200	66	83	27	21	7	304
	Appealed, criminal.....	16	76	4	19	1	5	21

## DISPOSITION OF APPEALED CASES BY WRITTEN OPINIONS—CONCLUDED

Year Ending June 30.	Cases.	Affirmed.	Percent.	Reversed.	Percent.	Modified.	Percent.	Total.
1941.....	Appealed, civil.....	140	66	62	29	9	5	211
	Appealed, criminal.....	11	65	6	35	0	0	17
1942.....	Appealed, civil.....	150	71	52	25	9	4	211
	Appealed, criminal.....	13	68	6	32	0	0	19
Totals.....	Appealed, civil.....	3,109	67	1,281	28	246	5	4,636
	Appealed, criminal.....	362	82	75	17	3	1	440
Grand totals.....	.....	3,471	.....	1,356	.....	249	.....	5,076

TABLE A-1.—ROSTER OF JUDICIAL OFFICIALS

As of July 1, 1942

## JUDICIAL COUNCIL BULLETIN

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COUNTY.	Judicial district.	District judge.	Clerk of court.	Court reporter.	Probate judge.
Allen.....	37	Wallace H. Anderson.....	Jessie M. Fry.....	Leo. N. Gish.....	A. M. Dunlap*
Anderson.....	4	Hugh Means.....	Mrs. Nina Kennedy.....	Ethel High.....	Dean Smith
Archison.....	2	Lawrence F. Day.....	Hal Walsner.....	H. K. De Long.....	Philip Shrack
Barber.....	24	Clark A. Wallace.....	Edith Myers.....	Elmer M. Oak.....	John Hilkey
Barton.....	20	Robt. Garvin.....	Jack Morrison, Jr.....	Russell M. Walker.....	Leonard Birzer
Bourbon.....	6	Harry Fisher.....	Amy Armstrong.....	Martha Good.....	J. A. Stanton
Brown.....	22	C. W. Ryan.....	H. N. Zimmermann.....	Freda Swartz.....	Dale Bailey*
Butler.....	13	Carl Ackerman.....	Harry R. Martin.....	Frank D. Shelby.....	Stanley Taylor*
Butler.....	Div. 1	George J. Benson.....	Mildred Speer.....	Edwin Hall.....	C. A. Blackburn
Chase.....	5	Joe S. Rolston, Jr.....	Inez M. Butterfield.....	May Larson.....	R. E. Rathbun
Chautauqua.....	13	George J. Benson.....	Lois Mason.....	Frank D. Shelby.....	
Cherokee.....	11	Vernon J. Bowersock.....	Chas. N. Roberts.....	Edwin Hall.....	David Graves
Cheyenne.....	17	Edward E. Kite.....	Hope Grimes.....	Mary Anderson.....	Florence Curry
Clark.....	31	Karl Miller.....	Hazel K. Chestnut.....	Arthur A. Brewer.....	O. T. Ammon*
Clay.....	21	Edgar C. Bennett.....	Lawrence Johnston.....	Roy W. Cliborn.....	Elmer Anderson*
Cloud.....	12	Chas. A. Walsh.....	Harry V. Phillips.....	H. A. Ingram.....	E. W. Thompson*
Coffey.....	5	Joe S. Rolston, Jr.....	Jessie Chamness.....	May Larson.....	W. A. Starliper*
Comanche.....	31	Karl Miller.....	Sallie K. Smith.....	J. A. Griswold.....	M. M. Cosby
Cowley.....	19	Stewart S. Bloss.....	Jean Bell.....	Jay T. Smith.....	Ellis Fink
Crawford.....	38	Leland M. Resler.....	Violet Spiers.....	P. A. Kelly.....	Robt. W. Colborn
Dacatur.....	17	Edward E. Kite.....	Seth Barter, Jr.....	Arthur A. Brewer.....	Ralph McLaughlin*
Dickinson.....	8	Cassius M. Clark.....	Beulah M. Swiggert.....	J. E. Broadwater.....	Thorton D. Scott*
Douglas.....	22	C. W. Ryan.....	John Callahan.....	Freda Swartz.....	John R. Bell*
Douglas.....	4	Hugh Means.....	C. E. Burke.....	Ethel High.....	Frank R. Gray
Edwards.....	33	Lorin T. Peters.....	Ethel Grimmel.....	Lois M. Clem.....	L. L. Anderson*
Elk.....	13	Carl Ackerman.....	Fred E. Bleker.....	Frank D. Shelby.....	Miriam O. Beaty
Elk.....	Div. 1	Geo. J. Benson.....	James M. Wilson.....	Edwin Hall.....	
Elk.....	Div. 2		Elta J. Riley.....	Glenn M. Fowler.....	Alexander Meier
Ellis.....	23	C. A. Spencer.....	Christina Woke.....	W. J. Apt.....	H. A. Stratmann
Ellsworth.....	30	Roy A. Smith.....	W. S. Powers.....	Kenneth A. Scott.....	M. C. Schrader*
Finney.....	32	Fred J. Evans.....	Benjamin A. Summers.....	J. A. Griswold.....	Richard W. Evans*
Fort.....	31	Karl Miller.....	Jewell Rowland.....	Ethel High.....	Clive H. Owen
Franklin.....	4	Hugh Means.....	Maurice Johnson.....	J. E. Broadwater.....	J. P. Coleman*
Geary.....	8	Cassius M. Clark.....	Geo. J. Webster.....	Glen M. Fowler.....	Chas. Swenson
Gove.....	23	C. A. Spencer.....	Wm. K. Skinner.....	Earle G. Lee.....	E. L. McClure
Grattan.....	34	Wm. Frank O. Rindom.....		W. B. King.....	Myrtie A. Newby
Grant.....	39	Karl Miller.....		J. A. Griswold.....	Grace Hopper Truax
Gray.....	31				

TABLE A-1—CONTINUED. Roster of Judicial Officials as of July 1, 1942

COUNTY.	Judicial district.	District judge.	Clerk of court.	Court reporter.	Probate judge.
Greeley.....	32	Fred J. Evans.....	Walter T. Singleton.....	Kenneth A. Scott.....	Helen Mays.....
Greenwood.....	13	Carl Ackerman.....	Mrs. Alma Long.....	Frank D. Shelby.....	B. M. Beyer*
Hamilton.....	32	Geo. J. Benson.....	Amelia J. Minor.....	Kenneth A. Scott.....	D. P. Hutton.....
Harper.....	24	Clark A. Wallace.....	Jay B. Pearl.....	Elmer M. Oak.....	D. C. Hawk.....
Harvey.....	9	Kenneth G. Speil*.....	Lloyd L. McMullen.....	Loraine Edmonds.....	Herbert H. Sizemore*
Haskell.....	39	Frank O. Rindom.....	Edith M. Yarbrough.....	W. B. King.....	Lawrence G. Meairs.....
Hogeman.....	33	Lorin T. Peters.....	Fred R. Wilson.....	Lois M. Clem.....	J. E. Reed*
Jefferson.....	36	Lloyd Morris.....	Elfa Rudy.....	F. B. Wright.....	D. W. Gibson.....
Jewell.....	15	Lloyd Morris.....	Nona Crosby.....	F. B. Wright.....	Claude Kimmel.....
Johnson.....	10	Wm. R. Mitchell.....	Bernice Howard.....	Lydia De Hoff.....	Frank Kissinger*
Kearny.....	32	Garfield A. Roberts.....	Violet J. Paris.....	James G. Manning.....	W. C. Jones.....
Kingman.....	24	Fred J. Evans.....	Mrs. Ella Smith.....	Kenneth A. Scott.....	C. W. Laman*
Kiowa.....	31	Clark A. Wallace.....	Nell H. Walter.....	Elmer M. Oak.....	Fred Hurd.....
Labette.....	16	Karl Miller.....	Herbert Miller.....	J. A. Griswold.....	Harry Faxton.....
Lane.....	32	Larue E. Goodrich.....	Oren Gray.....	J. N. Moore.....	Leonard Rude, Sr.....
Leavenworth.....	1	Fred J. Evans.....	Q. H. Jewett.....	Kenneth A. Scott.....	J. A. Radford.....
Lincoln.....	30	James H. Wendorff.....	Minnie Courtney.....	Clark A. Tharp.....	Sam Parisa.....
Linn.....	6	Roy A. Smith.....	Ernest D. Harlow.....	W. J. Apt.....	A. Artman.....
Logan.....	23	Harry Fisher.....	Will H. Bayless.....	Martha Good.....	J. B. Sutherland.....
Lyons.....	5	C. A. Spencer.....	A. W. Rogge.....	Glen M. Fowler.....	Winnie G. Seitz.....
Marion.....	8	Joe. S. Rolston, Jr.....	Maude Evans.....	May Larson.....	W. W. Parker.....
Marshall.....	21	Cassius M. Clark.....	Ira I. Skibbe.....	J. E. Broadwater.....	Jay E. Hargett*
McPherson.....	9	Edgar C. Bennett.....	Wallace J. Koppes.....	Roy W. Clifton.....	Percy R. Pullene*
McGee.....	31	Kenneth G. Speil*.....	Donald S. Clark.....	Loraine Edmonds.....	J. J. Heidebrecht.....
Miami.....	10	Karl Miller.....	Ethel Copenhaver.....	J. A. Griswold.....	Mrs. Florida De Cow.....
Mitchell.....	15	Garfield A. Roberts.....	Ethel J. Hunt.....	J. G. Manning.....	Frank T. Barkis.....
Montgomery.....	14	Wm. R. Mitchell.....	D. A. Gregory.....	Lydia De Hoff.....	R. C. Wrench*
Morris.....	8	Joseph W. Holdren.....	John L. Wright.....	V. H. Dunn.....	Ross E. Borders.....
Morton.....	39	Cassius M. Clark.....	Inez Featherston.....	J. E. Broadwater.....	E. M. Jones*
Nemaha.....	22	Frank O. Rindom.....	Kathleen Crawford.....	W. B. King.....	Ruth Dean.....
Neosho.....	7	C. W. Ryan.....	Ella Schmiedler.....	Freeda Swartz.....	L. S. Stocum.....
Ness.....	33	Le Roy Bradfield.....	Mae Dalton.....	O. J. Shelby.....	L. C. Swan.....
Norton.....	17	Lorin T. Peters.....	Laura M. Jackson.....	Lois M. Clifton.....	J. C. M. Anderson*
Osage.....	35	Edward E. Kite.....	Pearl Thompson.....	Arthur A. Brown.....	W. A. Hendrickson.....
Osborne.....	15	A. K. Stavely.....	Alvah Phelon.....	Raymond N. Krutinger.....	T. L. Tiffany*
Ottawa.....	30	Wm. R. Mitchell.....	Alva Anderson.....	Lydia De Hoff.....	J. W. Bell*
Pawnee.....	33	Roy A. Smith.....	A. H. Finley.....	W. J. Apt.....	Walter D. Lancaster.....
Phillips.....	17	Lorin T. Peters.....	Rose Mason.....	Lois M. Clem.....	W. H. Goddard.....
Pottawatomie.....	36	Edward E. Kite.....	Floyd Keesee.....	Arthur A. Brewer.....	F. S. Snyder*
		Lloyd Morris.....	Lloyd W. Hope.....	F. B. Wright.....	Delno Shaw.....

\* In military service. Alden E. Branine appointed Sept. 29, 1942, to fill temporary vacancy during the absence of Judge Speir.

TABLE A-1—CONCLUDED. Roster of Judicial Officials as of July 1, 1942

## JUDICIAL COUNCIL BULLETIN

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County.	Judicial district.	District judge.	Clerk of court.	Court reporter.	Probate judge.
Pratt.....	24	Clark A. Wallace.....	J. M. Miller.....	Elmer M. Oak.....	E. R. Barnes
Rawlins.....	17	Edward E. Kite.....	Harlan A. White.....	Arthur A. Brewer.....	M. H. Bird*
Reno.....	40	Franklin B. Hettinger.....	Glen R. Williams.....	A. E. Fogelberg.....	A. B. Leigh
Republic.....	12	Chas. A. Walsh.....	Warren Scott.....	H. A. Ingram.....	Henry H. Van Natta*
Rice.....	20	Robt. Garvin.....	John W. Spring.....	Russell M. Walker.....	H. G. Doddridge*
Riley.....	21	Edgar C. Bennett.....	J. F. Musil.....	Roy Cliborn.....	Scott Pluetze
Rock.....	23	Wm. K. Skinner.....	Geo. F. Crane.....	Earl G. Lee.....	Stella Willis
Rush.....	23	John T. Peters.....	Mrs. Lydia Yost.....	Lois M. Clem.....	Leo Webs*
Russell.....	23	C. A. Spencer.....	Geo. W. Brandt.....	Glenn M. Fowler.....	J. D. Steale*
Saline.....	30	Roy A. Smith.....	O. Howard Ford.....	W. J. Apt.....	Fred D. Joy
Scott.....	32	Fred J. Evans.....	Nellie Scheuerman.....	Kenneth A. Scott.....	J. H. Force*
Sedgwick.....	18	Ross McCormick.....	L. D. Leland.....	A. E. Demaree.....	Clyde M. Hudson
	18	Robt. L. Ne Smith.....		Mabel M. Sites.....	
	18	Grover Perpoint.....		Robt. L. Clark.....	
	18	Isaac N. Williams.....		Tom Chitwood.....	
Seward.....	39	Frank O. Rindom.....	H. W. Lane.....	W. B. King.....	E. S. Irwin
Shawnee.....	3	Geo. A. Kline.....	Leah B. Willcuts.....	R. W. Graham.....	Roy N. McCue
	3	Paul H. Henz.....		Wesley Walls.....	
	3	Dean McElhenny.....		John Swader.....	
Sheridan.....	34	Wm. K. Skinner.....	Violet F. Pratt.....	Earl G. Lee.....	J. U. Andregg
	34	Wm. K. Skinner.....	Sylvia Riley.....	Earl G. Lee.....	Nora Beecham
Smith.....	15	Wm. R. Mitchell.....	Zelma Williams.....	Lydia De Hoff.....	Miles Elson
Stafford.....	20	Robt. Garvin.....	Gerald Bartle.....	Russell M. Walker.....	Gilbert Brock*
Stanton.....	39	Frank O. Rindom.....	W. W. Felt.....	W. B. King.....	Stanley Julian
Stevens.....	39	Frank O. Rindom.....	John W. Fulkerson.....	W. B. King.....	J. B. Porter*
Sumner.....	25	Wendell Ready.....	Ruth (Winger) Goodrum.....	Edna Carter.....	Robert H. Cobean
Thomas.....	34	Wm. K. Skinner.....	N. C. Knudson.....	Earl G. Lee.....	O. A. Shell*
Trego.....	23	C. A. Spencer.....	D. E. Cypher.....	Glenn M. Fowler.....	Walter F. Swiggett*
Wabaunsee.....	35	Robt. T. Price.....	Eva Dorman.....	Raymond N. Kruttsinger.....	H. R. Williams
Wallace.....	23	C. A. Spencer.....	Mrs. Ida Ward.....	Glenn M. Fowler.....	George Cox*
Washington.....	12	Chas. A. Walsh.....	Mrs. Alta Hennon.....	H. A. Ingram.....	J. P. Sware*
Wichita.....	32	Fred J. Evans.....	Daisy Dickey.....	Kenneth A. Scott.....	Maggie Gilmore
Wilson.....	7	Le Roy Bradfield.....	Leslie V. York.....	O. J. Shelby.....	J. H. Blackburn
Woodson.....	37	Wallace H. Anderson.....	Myra S. Dumond.....	Leo N. Gish.....	Don C. Culver*
Wyandotte.....	29	Edward L. Fisher.....	Joseph F. Reardon.....	Lura N. Middaugh.....	Henry Meade
	29	Willard M. Benton.....		Fred R. Leport.....	
	29	Harvey J. Emerson.....		A. S. Edmonds.....	
	29	Russell C. Hardy.....		Mettie Herndon.....	

\* Also judge of county court.

TABLE A-2. SUMMARY OF DISTRICT COURTS, BY DISTRICTS—YEAR ENDING JUNE 30, 1942.

Judicial dist.	COUNTY.	Population.	Valuation.	Civil cases (including divorce).						Criminal cases.					
				Pend- ing July 1, 1941.	Com- menced.	Termi- nated.	Pend- ing July 1, 1942.	Number pending less than 6 mos.	Percent pending less than 6 mos.	Pend- ing July 1, 1941.	Com- menced.	Termi- nated.	Pend- ing July 1, 1942.	Number pending less than 6 mos.	Percent pending less than 6 mos.
1	Leavenworth.....	31,061	\$32,215,866	493	307	276	524	104	20	67	50	22	95	13	14
2	Atchison.....	20,658	32,120,961	262	157	290	129	39	30	12	26	25	13	5	39
3	Shawnee.....	90,171	125,142,661	330	1,022	1,112	240	192	78	60	272	257	75	41	55
4	Anderson.....	10,559	20,301,240	51	39	41	49	19	39	8	10	11	7	6	86
	Douglas.....	25,829	41,473,337	87	185	135	87	54	62	8	33	8	7	6	75
	Franklin.....	19,689	32,767,867	39	123	117	45	26	57	10	23	22	11	6	55
	Totals.....	56,087	\$94,542,444	177	347	343	181	99	54	26	66	66	26	18	70
5	Chase.....	5,659	18,996,463	9	45	40	14	8	57	1	3	1	3	2	66
	Coffey.....	11,536	19,173,063	30	58	70	18	12	67	2	12	6	4	6	100
	Lyon.....	24,764	46,043,963	94	193	208	79	32	40	1	15	14	2	1	50
	Totals.....	41,959	\$84,213,494	133	296	318	111	52	45	4	30	23	11	9	89
6	Bourbon.....	18,626	23,547,581	103	131	140	94	28	30	11	39	33	17	7	41
	Linn.....	11,381	16,641,493	36	260	269	27	15	55	12	13	20	5	1	20
	Totals.....	30,007	\$40,189,074	139	391	409	121	43	30	23	52	53	22	8	36
7	Neosho.....	21,342	26,664,394	73	102	97	78	31	40	9	10	15	4	0	0
	Wilson.....	16,116	22,660,449	48	95	99	44	21	48	2	33	28	7	7	100
	Totals.....	37,458	\$49,314,843	121	197	196	122	52	60	11	43	43	11	7	67
8	Dickinson.....	21,623	44,567,620	29	89	91	27	18	67	2	6	7	1	1	100
	Geary.....	13,327	17,146,565	49	173	160	62	46	74	1	30	29	2	1	50
	Marion.....	18,153	37,963,891	21	48	50	19	12	63	0	9	9	0	0	0
	Morris.....	9,573	19,128,980	10	52	46	16	13	81	0	6	6	0	0	0
	Totals.....	62,676	\$118,826,756	109	362	347	124	89	72	3	51	51	3	2	67
9	Harvey.....	21,048	40,703,174	62	128	134	56	28	50	1	26	18	9	6	66
	McPherson.....	22,676	59,306,250	73	157	173	57	37	65	6	9	15	0	0	0
	Totals.....	43,724	\$100,009,424	135	285	307	113	65	58	7	35	33	9	6	67

TABLE A-2—CONTINUED. Summary of district courts, by districts—year ending June 30, 1942.

Judicial dist.	COUNTRY.	Population.	Valuation.	Civil cases (including divorce).						Criminal cases.					
				Pending July 1, 1941.	Com-menced.	Ter-mi-nated.	Pending July 1, 1942.	Number pending less than 6 mos.	Percent pending less than 6 mos.	Pending July 1, 1941.	Com-menced.	Ter-mi-nated.	Pending July 1, 1942.	Number pending less than 6 mos.	Percent pending less than 6 mos.
10	Johnson.	36,676	\$49,317,233	119	311	256	174	86	49	3	37	15	25	12	48
	Miami.	17,040	27,080,642	27	133	109	51	31	61	2	19	16	5	2	40
11	Totals.	53,716	\$76,397,875	146	444	365	225	117	52	5	56	31	30	14	48
	Cherokee	30,288	24,277,917	9	203	120	92	63	68	1	23	16	8	4	50
12	Cloud.	15,209	\$29,125,665	27	84	82	29	21	78	3	11	*13	1	0	0
	Republic.	12,052	27,578,301	46	92	107	31	20	64	5	9	2	12	7	58
13	Washington.	15,020	33,938,277	24	80	77	27	20	74	1	3	3	1	0	0
	Totals.	42,281	\$90,642,243	97	256	266	87	61	70	9	23	18	14	7	50
14	Butler	27,920	56,941,533	189	247	255	181	47	26	39	35	37	37	10	26
	Chautauqua.	8,623	12,117,408	39	68	82	25	16	64	3	8	11	0	0	0
15	Elk.	7,345	14,012,438	17	71	64	24	16	66	2	11	11	2	2	100
	Greenwood.	14,931	32,474,068	24	124	103	45	30	66	0	12	11	1	0	0
16	Totals.	58,819	\$115,545,437	269	510	504	275	109	40	44	66	70	40	12	30
	Montgomery.	48,975	52,015,703	140	320	306	154	82	53	16	95	*94	17	12	75
17	Jewell.	10,595	21,822,982	44	61	73	32	19	59	2	5	5	2	0	0
	Mitchell.	10,843	23,280,481	27	38	45	20	10	50	1	4	4	1	2	50
18	Osborne.	9,085	19,882,607	31	40	45	26	13	50	2	4	4	2	2	100
	Smith.	9,743	17,844,759	29	75	78	26	19	73	0	4	4	0	0	0
19	Totals.	40,266	\$82,830,829	131	214	241	104	61	58	5	17	14	8	4	50
	Labette.	32,589	35,649,475	66	222	227	61	52	85	6	57	61	2	2	100
20	Cheyenne.	5,769	7,674,560	16	26	33	9	6	66	0	4	4	0	0	0
	Decatur.	6,724	10,285,244	5	57	39	23	20	87	0	4	3	1	1	100
21	Norton.	8,828	13,752,602	22	59	72	9	5	55	0	1	0	1	0	0
	Phillips.	10,133	17,431,578	0	44	30	14	4	28	1	2	2	1	1	100
22	Rawlins.	5,777	9,807,790	30	40	52	18	12	66	0	0	0	0	0	0
	Totals.	37,231	\$58,951,774	73	226	226	73	47	0	1	11	9	3	2	67

TABLE A-2—CONTINUED. Summary of district courts, by districts—year ending June 30, 1942.

Judicial dist.	County.	Population.	Valuation.	Civil cases (including divorce).						Criminal cases.					
				Pending July 1, 1941.	Com-menced.	Terminated.	Pending July 1, 1942.	Number pending less than 6 mos.	Percent pending less than 6 mos.	Pending July 1, 1941.	Com-menced.	Terminated.	Pending July 1, 1942.	Number pending less than 6 mos.	Percent pending less than 6 mos.
18	Sedgwick.....	104,994	\$222,550,094	1,200	2,429	2,291	1,338	704	57	205	339	347	197	80	41
19	Cowley.....	35,224	58,427,765	215	271	383	103	54	52	7	38	37	8	6	75
20	Barton.....	25,329	63,925,498	25	249	164	110	61	55	12	45	42	15	9	60
	Rice.....	15,813	49,945,654	46	129	130	45	29	84	5	23	26	2	2	100
	Stafford.....	9,823	32,780,289	45	100	113	32	20	62	2	8	9	1	0	0
	Totals.....	50,965	\$146,651,441	116	478	407	187	110	59	19	76	77	18	11	60
21	Clay.....	12,289	26,870,758	16	53	51	18	12	67	3	8	9	2	1	50
	Marshall.....	20,224	38,475,254	49	113	119	42	28	67	1	5	4	2	1	50
	Riley.....	20,051	32,277,048	57	143	147	53	25	47	3	27	28	2	0	0
	Totals.....	52,564	\$97,623,060	122	309	318	113	65	57	7	40	41	6	2	33
22	Brown.....	15,840	34,760,777	44	92	96	40	23	57	0	9	9	0	0	0
	Doniphan.....	11,385	19,017,495	34	77	83	28	21	75	1	8	8	1	0	0
	Nemaha.....	15,128	30,569,733	37	95	106	26	16	62	4	17	18	3	1	33
	Totals.....	42,353	\$84,348,005	115	264	285	94	60	64	5	34	35	4	1	25
23	Ellis.....	16,193	33,508,431	60	79	90	49	24	49	6	14	17	3	2	66
	Cove.....	4,655	10,021,990	46	48	58	38	15	42	3	4	6	1	1	100
	Logan.....	3,885	7,720,742	22	50	52	20	14	70	2	8	9	1	1	100
	Russell.....	12,099	46,232,792	126	146	152	119	47	40	0	12	12	0	0	0
	Trego.....	5,642	10,443,506	6	42	25	23	14	60	0	5	5	0	0	0
	Wallace.....	2,121	5,008,948	11	22	25	8	6	73	0	0	0	0	0	0
	Totals.....	44,095	\$112,936,379	271	387	403	285	120	47	11	43	49	5	4	80
24	Barber.....	7,969	20,869,922	33	51	70	14	10	71	1	7	7	1	1	100
	Harper.....	10,716	27,771,474	13	57	49	21	15	71	5	16	17	4	4	100
	Kingman.....	10,185	26,693,890	15	61	59	17	13	76	2	6	7	1	0	0
	Pratt.....	11,062	28,335,785	37	88	86	39	24	62	0	14	10	4	3	75
	Totals.....	39,932	\$103,670,571	98	257	264	91	62	68	8	43	41	10	8	80



TABLE A-2—CONTINUED. Summary of district courts, by districts—year ending June 30, 1942.

Judicial dist.	County.	Population.	Valuation.	Civil cases (including divorce).						Criminal cases.					
				Pending July 1, 1941.	Com-menced.	Ter-minated.	Pending July 1, 1942.	Number pending less than 6 mos.	Percent pending less than 6 mos.	Pending July 1, 1941.	Com-menced.	Ter-minated.	Pending July 1, 1942.	Number pending less than 6 mos.	Percent pending less than 6 mos.
25	Sumner.....	25,524	\$49,574,004	93	137	162	68	26	38	11	16	11	16	4	25
29	Wyandotte.....	148,333	121,385,716	3,463	1,813	1,366	3,910	632	16	959	286	165	1,080	121	11
30	Ellsworth.....	9,708	29,684,680	26	62	60	28	15	53	0	8	7	1	0	0
	Lincoln.....	8,026	20,803,261	33	46	63	16	7	42	2	7	9	0	0	0
	Ottawa.....	8,885	22,453,271	16	31	40	7	6	86	3	5	6	2	2	100
	Saline.....	26,785	53,681,878	223	233	262	194	65	34	12	30	31	11	4	36
	Totals.....	53,404	\$126,623,090	298	372	425	245	93	38	17	50	53	14	6	43
31	Clark.....	3,837	11,572,176	18	30	35	13	4	30	0	0	0	0	0	0
	Comanche.....	4,108	9,808,491	16	19	24	11	5	46	1	9	6	4	3	75
	Ford.....	16,447	31,147,195	120	157	169	108	48	44	13	14	19	8	1	12
	Gray.....	4,578	11,605,479	0	29	19	10	10	100	0	9	*7	2	0	0
	Kiowa.....	4,692	12,016,236	12	28	28	12	6	50	3	5	7	1	0	0
	Meade.....	5,264	13,341,648	13	36	35	14	8	57	0	6	4	2	1	50
	Totals.....	38,926	\$89,491,225	179	299	310	168	81	48	17	43	43	17	5	29
32	Finney.....	10,043	17,295,235	74	103	126	51	26	50	17	30	31	16	7	43
	Greeley.....	1,523	4,811,590	7	37	29	15	12	80	0	3	5	0	0	0
	Hamilton.....	2,599	6,411,930	18	39	45	12	8	66	0	8	5	3	2	66
	Kearny.....	7,613,381	13,388	1	28	13	16	9	56	0	3	2	1	1	0
	Lane.....	2,684	7,342,496	10	31	27	14	9	64	0	1	0	1	0	0
	Scott.....	3,681	7,920,939	13	28	26	15	10	66	2	2	3	3	1	0
	Wichita.....	2,064	5,687,737	1	24	14	11	9	88	5	3	7	1	1	100
	Totals.....	24,932	\$57,083,308	124	290	280	134	83	62	24	50	51	23	11	49
33	Edwards.....	6,023	15,204,673	7	60	53	14	13	93	1	2	2	1	1	100
	Hodgeman.....	3,448	8,153,665	10	30	25	15	9	60	1	3	2	2	2	100
	Ness.....	6,441	13,905,226	13	52	52	13	9	70	3	4	5	2	0	0
	Pawnee.....	8,495	21,489,831	31	56	66	21	10	48	2	5	3	4	2	50
	Rush.....	7,858	16,602,124	33	46	58	21	9	43	0	2	2	0	0	0
	Totals.....	32,265	\$75,355,519	94	244	254	84	50	60	7	16	14	9	5	55

TABLE A-2—CONCLUDED. Summary of district courts, by districts—year ending June 30, 1942.

Judicial dist.	COUNTRY.	Population.	Valuation.	Civil cases (including divorce).						Criminal cases.					
				Pending July 1, 1941.	Com-menced.	Ter-mi-nated.	Pending July 1, 1942.	Number pending less than 6 mos.	Percent pending less than 6 mos.	Pending July 1, 1941.	Com-menced.	Ter-mi-nated.	Pending July 1, 1942.	Number pending less than 6 mos.	Percent pending less than 6 mos.
34	Graham.....	5,686	\$9,958,087	29	54	52	31	11	35	1	1	2	0	0	0
	Rooks.....	8,057	16,755,990	52	51	73	30	8	27	7	15	21	1	1	100
	Sheridan.....	5,020	9,193,378	3	59	40	22	15	63	0	3	3	0	0	0
	Sherman.....	5,916	9,920,959	28	90	79	39	30	77	1	11	7	5	0	0
	Thomas.....	6,317	11,066,350	15	38	40	13	10	77	2	0	2	0	0	0
	Totals.....	30,996	\$56,894,764	127	292	284	135	74	55	11	30	35	6	1	17
35	Osage.....	14,220	23,954,387	29	97	105	21	18	85	1	7	7	1	1	100
	Wabunsee.....	8,918	19,861,301	14	32	37	9	6	66	1	11	11	1	0	0
	Totals.....	23,138	\$43,815,688	43	129	142	30	24	80	2	18	18	2	1	50
36	Jackson.....	12,684	22,980,055	25	112	96	41	30	73	2	21	18	5	4	80
	Jefferson.....	11,786	22,006,780	31	119	102	48	33	69	11	11	17	5	2	40
	Pottawatomie.....	13,625	23,821,731	41	82	90	33	19	58	5	10	9	6	4	66
	Totals.....	38,095	\$68,808,566	97	313	288	122	82	67	18	42	44	16	10	63
	Allen.....	19,008	26,466,486	115	150	156	109	50	46	8	19	23	4	4	100
37	Woodson.....	8,033	12,117,093	60	45	60	45	10	22	2	5	6	1	0	0
	Totals.....	27,041	\$38,583,579	175	195	216	154	60	40	10	24	29	5	4	80
	Crawford.....	44,081	40,917,026	279	321	261	339	110	32	31	45	32	44	19	43
38	Grant.....	1,796	6,642,394	3	20	15	8	6	75	0	3	2	3	1	100
	Hasell.....	2,064	6,793,336	9	22	25	6	4	66	1	7	5	0	0	0
	Morden.....	1,992	3,472,854	9	27	19	17	10	55	0	7	4	3	1	33
	Seward.....	6,406	11,665,374	30	76	70	36	24	66	3	20	18	5	2	40
	Stanton.....	1,391	4,886,429	10	17	18	9	6	66	0	2	1	1	1	100
	Stervins.....	3,097	9,376,623	22	41	46	17	12	70	0	11	4	7	4	57
	Totals.....	16,746	\$42,837,010	83	203	193	93	62	67	4	50	34	20	9	45
40	Reno.....	50,897	93,306,573	268	459	465	262	128	49	13	73	73	13	9	69
	Totals.....	.....	\$2,943,779,159	10,200	15,221	14,850	10,661	3,477	33	1,686	2,329	*2,115	1,900	483	25

\* Hung jury in 1 case in Gray county, 1 case in Montgomery county, and in 2 cases in Cloud county.

SUMMARY OF DISTRICT COURTS, BY COUNTIES  
TABLE A-3. DISPOSITION OF CIVIL CASES, INCLUDING DIVORCE—YEAR ENDING JUNE 30, 1942.

COUNTIES.	Number of cases.	Cases not contested.		Contested cases.										New trials granted.	Appeals.
				Number con- tested.	Disposed of without trial.		Trials.			Time from petition to trial.					
Number.	Percent.	By dis- missal.	By de- murrer or motion.	Number.	To court.	To jury.	Number less than 6 months.	Percent less time than 6 months.	Average time (mos.).						
Allen.....	156	70	47	8	0	39	31	8	33	85	7.50	3			
Anderson.....	41	29	71	12	2	0	10	10	0	9	90	5.34	0		
Atchison.....	290	228	58	62	28	0	34	31	3	26	76	3.43	0		
Barber.....	70	33	41	37	7	0	30	27	3	16	53	10.87	0		
Barton.....	164	112	68	52	1	0	51	41	10	40	78	3.15	3		
Bourbon.....	140	120	86	20	3	2	15	14	1	8	53	6.58	0		
Brown.....	96	48	50	48	6	0	41	38	3	27	66	6.03	0		
Butler.....	255	241	94	14	0	4	10	2	8	4	40	12.00	0		
Chase.....	40	36	90	4	0	0	4	4	0	1	25	8.41	0		
Chautauqua.....	82	44	53	38	2	1	35	33	2	31	88	3.14	1		
Cherokee.....	120	99	83	21	2	0	19	17	2	15	79	3.32	1		
Cheyenne.....	33	13	40	20	2	0	18	15	3	11	61	12.70	0		
Clark.....	35	18	51	17	2	0	15	15	0	11	73	4.58	0		
Clay.....	51	41	80	10	5	0	5	5	0	4	80	3.93	0		
Cloud.....	82	44	52	38	5	0	33	31	2	29	85	4.00	2		
Coffey.....	70	66	94	4	0	0	4	4	0	2	50	19.45	0		
Comanche.....	24	17	70	7	0	0	7	6	1	6	86	5.20	0		
Cowley.....	383	251	66	132	24	2	106	86	20	61	58	9.40	0		
Crawford.....	261	210	81	51	14	0	37	32	5	27	73	5.66	0		
Decatur.....	39	26	67	13	1	0	12	11	1	12	100	2.93	0		
Dickinson.....	91	48	53	43	4	0	39	35	4	38	97	2.66	0		
Doniphan.....	83	52	62	31	3	1	27	27	0	21	78	6.00	0		
Douglas.....	185	154	83	31	3	0	28	23	5	25	90	3.50	0		
Edwards.....	53	39	74	14	2	0	12	12	0	11	92	2.41	0		
Elk.....	64	39	61	25	1	0	24	24	0	23	96	2.70	0		

TABLE A-3—CONTINUED. Disposition of civil cases, including divorce—year ending June 30, 1942.

COUNTIES.	Number of cases.	Cases not contested.		Number contested.	Contested cases.						New trials granted.	Appeals.		
		Number.	Percent.		Disposed of without trial.		Trials.		Time from petition to trial.					
					By dismissal.	By demurrer or motion.	Number.	To court.	To jury.	Number less than 6 months.			Percent less than 6 months.	Average time (mos.).
Ellis.....	90	78	87	12	3	1	8	6	2	3	38	14.01	0	1
Ellsworth.....	60	38	93	22	4	0	18	18	0	13	72	4.54	0	1
Finney.....	126	90	71	36	4	1	31	23	8	18	60	8.21	0	8
Ford.....	169	139	83	30	11	1	18	14	4	15	83	4.44	0	5
Franklin.....	117	98	84	19	5	1	13	8	5	7	53	9.00	0	1
Geary.....	160	108	67	52	2	0	50	50	0	48	96	2.60	0	4
Gove.....	58	54	93	4	0	0	4	4	0	0	0	13.99	0	0
Graham.....	52	33	64	19	3	0	16	15	1	11	70	6.34	0	0
Grant.....	15	7	47	8	0	0	8	8	0	8	100	3.60	0	0
Gray.....	19	19	100	0	0	0	0	0	0	0	0	0	0	0
Greeley.....	29	28	96	1	1	0	0	0	0	0	0	0	0	0
Greenwood.....	103	72	70	31	2	0	29	28	1	27	93	2.60	0	0
Hamilton.....	45	37	82	8	2	0	6	6	0	3	50	7.30	0	0
Harper.....	49	46	94	3	0	0	3	2	1	2	66	5.28	0	1
Harvey.....	134	102	76	32	7	0	25	23	2	15	60	6.21	0	2
Haskell.....	25	23	92	2	0	0	2	0	2	0	0	7.36	0	1
Hodgeman.....	25	13	52	12	3	0	9	9	0	9	100	2.20	0	0
Jackson.....	96	48	50	48	2	0	46	45	1	43	93	3.01	0	0
Jefferson.....	102	45	44	57	6	3	48	47	1	43	90	3.41	0	0
Jewell.....	73	47	64	26	1	0	25	25	0	19	76	4.53	0	0
Johnson.....	256	176	69	80	12	0	68	67	1	56	82	3.79	0	4
Kearny.....	13	8	61	5	2	1	2	2	0	1	50	5.73	0	1
Kingman.....	59	46	76	13	3	0	10	9	1	7	70	4.78	0	0
Kiowa.....	28	19	86	9	1	0	8	8	0	8	100	3.20	0	0
Labette.....	227	160	71	67	13	1	53	49	4	47	90	3.50	1	2
Lane.....	27	16	55	11	0	0	11	11	0	6	55	7.32	0	0
Leavenworth.....	276	204	74	72	5	1	66	63	3	56	85	4.08	0	0
Lincoln.....	63	46	73	17	3	0	14	11	3	7	50	6.77	0	3
Linn.....	269	258	95	11	2	0	9	9	0	4	44	5.78	0	0
Logan.....	52	43	82	9	2	0	7	7	0	6	85	4.05	0	2

TABLE A-3—CONTINUED. Disposition of civil cases, including divorce—year ending June 30, 1942.

COUNTIES.	Number of cases.	Cases not contested.		Contested cases.										New trials granted.	Appeals.
		Number.	Percent.	Number con- tested.	Disposed of without trial.		Trials.		Time from petition to trial.						
					By dis- missal.	By de- murrer or motion.	Number.	To court.	To jury.	Number less than 6 months.	Percent less than 6 months.	Average time (mos.).			
Lyon.....	208	152	73	56	12	0	44	42	2	28	64	4.80	0	0	
Marion.....	50	34	68	16	4	0	12	11	2	10	83	3.27	0	0	
Marshall.....	119	59	50	60	9	0	51	49	1	48	94	3.27	0	0	
McPherson.....	173	106	61	67	5	0	62	56	0	47	76	4.73	0	2	
Meade.....	35	29	83	6	1	0	5	5	0	3	60	4.73	0	0	
Miami.....	109	68	62	41	0	0	41	41	0	35	85	2.53	0	1	
Mitchell.....	45	28	62	17	2	0	15	11	2	9	60	7.12	0	3	
Montgomery.....	306	244	80	62	5	0	57	55	2	33	57	6.27	0	4	
Mongomery.....	46	42	91	4	1	1	2	1	1	1	50	9.18	0	1	
Morris.....	19	16	84	3	0	0	3	3	0	3	100	9.36	0	0	
Morton.....	106	52	49	54	4	0	50	46	4	45	90	3.66	1	1	
Nemaha.....	97	80	82	17	0	0	18	16	2	16	88	2.97	1	3	
Neosho.....	52	34	65	18	3	0	15	12	3	11	73	6.00	1	3	
Ness.....	72	47	65	25	5	0	20	17	3	3	48	6.00	0	0	
Norton.....	105	50	52	55	2	0	53	50	3	48	91	3.30	0	1	
Osage.....	45	26	58	19	3	0	16	16	0	14	88	3.42	0	1	
Osborne.....	40	37	92	3	0	0	3	3	0	7	33	14.77	0	0	
Ottawa.....	66	51	77	15	3	0	12	12	0	7	58	5.29	0	0	
Phillips.....	30	29	97	1	0	0	1	1	0	1	100	1.76	0	0	
Pottawatomie.....	90	45	50	45	4	0	41	38	3	27	66	5.40	0	7	
Pratt.....	86	60	70	26	8	1	17	15	2	15	88	4.89	0	1	
Rawlins.....	52	39	75	32	3	0	29	29	0	25	90	7.26	0	0	
Reno.....	465	367	79	98	15	1	82	79	3	71	87	3.93	0	0	
Republic.....	107	54	50	53	0	0	53	51	2	43	81	3.42	0	4	
Rice.....	130	91	70	39	1	1	37	32	5	33	60	4.00	0	2	
Riley.....	147	79	54	68	3	1	64	61	3	52	81	3.58	0	1	
Rooks.....	73	68	93	5	0	0	2	2	2	2	50	9.64	0	0	
Rush.....	58	33	57	25	2	0	23	23	5	18	78	4.67	0	0	
Russell.....	152	120	80	32	5	1	26	21	5	10	46	13.00	0	3	
Saline.....	262	193	78	69	10	2	57	48	9	43	76	6.82	0	4	

TABLE A-3—CONCLUDED. Disposition of civil cases, including divorce—year ending June 30, 1942.

COUNTIES.	Number of cases.	Cases not contested.		Contested cases.										New trials granted.	Appeals.
		Number.	Percent.	Number con- tested.	Disposed of without trial.		Trials.			Time from petition to trial.					
					By dis- missal.	By de- murrer or motion.	Number.	To court.	To jury.	Number less than 6 months.	Percent less than 6 months.	Average time (mos.).			
Scott.....	26	17	65	9	1	0	8	7		1	4	50	9.16	0	0
Sedgwick.....	2,291	1,707	77	584	115	11	458	355		103	305	67	5.80	6	26
Seward.....	70	56	80	14	4	0	10	8		2	6	60	7.12	0	0
Shawnee.....	1,112	795	72	317	75	4	238	212		26	184	77	5.74	1	1
Sheridan.....	40	20	50	20	3	0	17	17		0	17	100	2.50	0	0
Sherman.....	79	42	53	37	2	0	35	32		3	31	90	3.50	0	2
Smith.....	78	69	89	9	1	0	8	8		0	5	63	5.40	0	0
Stafford.....	113	68	60	45	7	1	37	35		2	26	70	5.00	5	1
Stanton.....	18	18	100	0	0	0	0	0		0	0	0	0	0	0
Stevens.....	46	37	80	9	5	0	4	3		1	0	0	26.82	0	0
Sumner.....	162	123	76	39	7	2	30	26		4	19	63	6.80	0	0
Thomas.....	40	35	86	5	1	0	4	4		0	1	25	12.40	0	1
Trego.....	25	25	100	0	0	0	0	0		0	0	0	0	0	0
Wabausee.....	37	20	54	17	0	0	17	17		0	16	94	3.00	0	0
Wallace.....	25	12	48	13	0	0	13	13		0	11	85	5.50	0	0
Washington.....	77	36	47	41	0	0	41	41		0	39	95	2.23	0	0
Wichita.....	14	13	93	1	0	0	1	0		0	0	0	6.60	0	0
Wilson.....	99	83	84	16	4	1	11	10		1	7	64	4.29	0	2
Woodson.....	60	31	52	29	5	0	24	24		0	16	67	10.59	0	4
Wyandotte.....	1,366	1,005	73	361	99	0	262	196		66	108	41	11.76	2	17
Totals.....	14,848	10,744	72	4,104	663	49	†3,393	2,995		398	2,481	73	5.73	25	170

† Two trials in 1 case.

## SUMMARY DISTRICT COURTS

TABLE A-4. MOTIONS AND DEMURRERS IN CIVIL CASES, INCLUDING DIVORCE, YEAR ENDING JUNE 30, 1942.  
(Compiled from forms 1, 2, 3, 4 and 6a)

COUNTRIES.	Pretrial motions.			Post-trial motions.			Demurrers.		
	*Total number disposed of.	Disposed of within 30 days.		Total number disposed of.	Disposed of within 30 days.		Total number disposed of.	Disposed of within 30 days.	
		Number.	Percent.		Number.	Percent.		Number.	Percent.
Allen.....	66	60	90	Days 14	58	90	Days 16	3	Days 98
Anderson.....	15	12	80	20	22	77	22	0	0
Atchison.....	76	58	76	54	69	94	9	4	94
Barber.....	18	11	61	27	15	87	16	4	24
Barton.....	71	70	99	1	15	8	53	2	45
Bourbon.....	52	49	94	7	22	21	95	7	40
Brown.....	90	72	80	20	39	34	87	3	105
Butler.....	16	13	81	50	28	27	96	3	99
Chase.....	10	8	80	22	2	1	25	1	38
Chautauqua.....	69	58	84	10	33	25	76	7	129
Cherokee.....	60	54	90	13	3	2	67	4	37
Cheyenne.....	8	6	75	21	17	16	94	1	10
Clark.....	18	18	100	4	5	3	60	0	0
Clay.....	7	7	100	4	6	6	100	0	0
Cloud.....	65	62	95	5	28	27	96	1	116
Coffey.....	14	10	71	29	1	0	31	0	0
Comanche.....	1	1	100	1	2	1	50	0	0
Cowley.....	296	242	82	24	138	102	74	8	70
Crawford.....	58	43	74	38	248	134	54	3	75
Decatur.....	11	8	73	22	14	14	100	1	50
Dickinson.....	47	44	94	8	22	19	86	0	0
Doniphan.....	49	43	88	18	41	34	83	1	66
Douglas.....	46	34	74	29	21	18	86	3	124
Edwards.....	29	26	90	21	27	26	96	0	0
Elk.....	13	13	100	1	19	18	95	0	0
Ellis.....	8	3	38	89	0	0	0	1	80
Ellsworth.....	24	23	96	3	10	9	90	0	0
Finney.....	36	25	69	31	35	27	77	3	30
Ford.....	30	23	77	30	33	31	94	20	60
Franklin.....	13	6	46	38	25	24	96	3	101





TABLE A-4—CONTINUED. Motions and demurrers in civil cases, including divorce, year ending June 30, 1942.  
(Compiled from forms 1, 2, 3, 4 and 6a)

COUNTIES.	Pretrial motions.				Post-trial motions.				Demurrers.		
	*Total number disposed of.	Disposed of within 30 days.		Average time.	Total number disposed of.	Disposed of within 30 days.		Average time.	Total number disposed of.	Disposed of within 30 days.	
		Number.	Percent.			Number.	Percent.			Number.	Percent.
			Days				Days			Days	
Miami.....	33	25	76	26	22	22	100	6	2	0	138
Mitchell.....	0	0	0	0	2	1	50	113	0	0	0
Montgomery.....	132	110	83	18	36	32	89	30	1	100	8
Morris.....	3	1	33	41	10	9	90	17	0	0	0
Morton.....	8	6	75	15	10	10	100	9	0	0	0
Nemaha.....	81	70	86	25	47	44	94	9	0	0	0
Neosho.....	36	28	78	18	25	22	88	17	2	1	28
Ness.....	10	7	70	15	34	34	100	3	0	0	0
Norton.....	6	6	100	1	16	14	88	9	3	100	7
Osage.....	26	25	96	7	43	43	100	1	3	100	2
Osborne.....	8	6	75	14	31	31	100	8	5	4	28
Ottawa.....	3	3	100	1	1	1	100	1	0	0	0
Pawnee.....	16	13	81	13	18	15	83	29	2	100	13
Phillips.....	4	4	100	1	21	21	100	1	0	0	0
Pottawatomie.....	32	30	94	7	27	22	81	23	3	1	48
Pratt.....	44	40	91	8	22	21	95	6	9	8	12
Rawlins.....	14	12	86	12	22	22	100	4	0	0	0
Reno.....	24	22	91	25	153	140	92	11	11	7	39
Republic.....	38	34	89	35	45	42	93	9	2	1	43
Rice.....	48	43	90	9	54	48	89	6	6	3	46
Riley.....	11	9	82	12	12	10	83	12	3	2	17
Roots.....	2	0	0	220	7	5	71	19	1	0	175
Rush.....	22	17	77	40	0	0	0	0	2	1	31
Russell.....	38	25	66	32	11	11	100	2	6	4	43
Saline.....	146	129	89	15	48	39	81	11	3	1	51
Scott.....	13	8	62	32	8	6	75	22	0	0	0
Sedgwick.....	606	437	72	31	185	157	85	15	64	33	50
Seward.....	30	28	93	10	15	14	93	5	3	2	22
Shawnee.....	892	716	80	19	273	192	70	27	43	7	92
Sheridan.....	19	16	84	9	0	0	0	0	0	0	0

TABLE A-4—CONCLUDED. Motions and demurrers in civil cases, including divorce, year ending June 30, 1942.  
(Compiled from forms 1, 2, 3, 4 and 6a)

COUNTIES.	Pretrial motions.				Post-trial motions.				Demurrers.			
	*Total number disposed of.	Disposed of within 30 days.		Average time.	Total number disposed of.	Disposed of within 30 days.		Average time.	Total number disposed of.	Disposed of within 30 days.		Average time.
		Number.	Percent.			Number.	Percent.			Number.	Percent.	
Sherman.....	8	4	50	Days 50	24	21	83	Days 11	0	0		Days 0
Smith.....	1	1	100	1	0	0	0	0	0	0		0
Stafford.....	51	46	90	38	17	14	82	20	1	0		91
Stanton.....	0	0	0	0	0	0	0	0	0	0		0
Stevens.....	4	4	100	14	14	14	100	6	1	0		40
Sumner.....	97	79	81	45	41	39	95	8	4	2	50	97
Thomas.....	7	3	43	68	1	1	100	26	2	2	100	3
Trego.....	23	23	92	9	0	0	0	0	0	0		0
Wabunsee.....	17	17	100	6	15	15	100	4	0	0		0
Wallace.....	2	1	50	89	0	0	0	0	1	0		52
Washington.....	50	46	92	7	33	33	100	2	4	4	100	9
Wichita.....	4	4	100	8	3	2	67	15	1	0		44
Wilson.....	31	24	77	47	17	17	100	5	3	2	67	38
Woodson.....	20	17	85	70	35	31	89	53	2	0		155
Wyandotte.....	761	634	83	32	104	75	72	30	61	34	56	84
Totals.....	5,752	4,754	83	22	3,346	2,824	84	17	408	201	49	64

\* This does not include motions that were not presented or pending.

DISTRICT COURTS  
TABLE A-5. DISPOSITION OF DIVORCE CASES, YEAR ENDING JUNE 30, 1942.

COUNTIES.	Total number of cases.	Number dismissed.	Number con- tested.	Number denied.	Divorce granted.		Disposition of minor children.			Perma- nent al- limony awarded.	Support of minor children decreed.	Prop- erty settle- ment approved by court.
					To wife.	To hus- band.	Number to wife.	Number to husband.	Other dispo- sition.			
Allen.....	51	19	10	0	24	8	17	0	0	11	7	15
Anderson.....	14	1	1	0	13	0	13	0	0	0	3	3
Atchison.....	157	109	6	0	38	10	18	3	24	12	9	16
Barber.....	13	4	2	0	9	0	6	0	0	1	2	4
Barton.....	68	9	4	0	44	15	32	1	0	5	12	11
Bourbon.....	60	9	2	2	37	12	25	0	0	6	15	15
Brown.....	22	4	0	0	12	6	16	3	0	2	6	3
Butler.....	92	20	0	0	59	13	55	5	3	19	32	36
Chase.....	10	1	1	0	6	3	11	1	5	1	4	3
Chautauqua.....	19	3	1	0	13	3	3	5	2	0	2	7
Cherokee.....	62	12	4	0	38	12	32	1	0	0	11	9
Cheyenne.....	6	1	1	0	2	3	0	0	0	0	0	3
Clark.....	6	1	0	0	3	2	0	0	0	0	0	0
Clay.....	15	1	0	0	12	2	9	1	0	0	4	1
CLOUD.....	30	4	5	1	21	4	24	0	0	7	7	8
Coffey.....	26	5	1	0	13	8	15	0	0	0	4	0
Comanche.....	5	2	0	0	1	2	6	0	2	2	0	0
Cowley.....	179	55	0	0	101	23	90	4	5	23	34	22
Crawford.....	123	20	2	2	72	29	33	2	0	2	17	13
Decatur.....	6	2	0	0	3	1	1	0	0	0	0	2
Dickinson.....	28	8	2	0	18	2	18	0	1	3	10	3
Doniphan.....	17	7	3	0	7	3	6	3	0	3	3	3
Douglas.....	84	21	10	2	44	17	40	5	0	7	19	11
Edwards.....	9	1	0	0	7	1	1	0	0	1	1	3
Elk.....	11	0	2	0	9	2	10	3	0	3	3	7
Ellis.....	9	4	0	0	3	2	2	2	0	0	0	0
Ellsworth.....	14	3	1	0	8	3	3	0	0	0	2	4
Finney.....	38	13	3	1	17	7	10	2	0	3	3	2
Ford.....	71	24	3	0	37	10	25	2	1	1	15	5
Franklin.....	41	8	0	0	21	12	21	4	0	0	5	4

TABLE A-5—CONTINUED. Disposition of divorce cases, year ending June 30, 1942.

COUNTIES.	Total number of cases.	Number dismissed.	Number contested.	Number denied.	Divorce granted.		Disposition of minor children.			Permanent alimony awarded.	Support of minor children decreed.	Property settlement approved by court.
					To wife.	To husband.	Number to wife.	Number to husband.	Other disposition.			
Geary.....	79	18	2	1	46	14	29	1	0	0	11	5
Gove.....	3	0	0	0	2	1	0	0	0	0	0	1
Graham.....	7	0	0	0	6	1	2	0	1	1	2	2
Grant.....	2	0	0	0	2	0	2	0	0	1	1	1
Gray.....	3	0	0	0	3	0	6	0	0	1	0	2
Greeley.....	2	0	0	0	1	1	2	0	0	1	1	0
Greenwood.....	23	0	0	0	15	8	28	0	0	6	7	6
Hamilton.....	8	5	0	0	3	0	2	0	0	1	0	1
Harper.....	22	7	1	0	13	2	7	0	0	0	4	5
Harvey.....	46	11	0	0	26	9	24	7	0	4	15	8
Haskell.....	4	1	0	0	2	1	1	3	0	0	0	0
Hodgeman.....	5	1	0	0	4	0	1	0	0	0	1	1
Jackson.....	18	5	0	0	10	3	17	0	0	2	1	2
Jefferson.....	26	3	3	0	12	11	10	2	0	1	5	9
Jewell.....	10	4	0	0	4	2	1	0	1	0	1	3
Johnson.....	77	21	2	0	41	15	13	3	0	7	9	12
Kearny.....	2	1	0	0	1	0	0	0	0	0	0	0
Kingman.....	18	4	2	0	11	3	15	3	0	5	7	7
Kiowa.....	5	0	0	0	1	4	0	4	0	0	0	2
Labette.....	123	39	4	5	55	24	35	13	2	1	11	26
Lane.....	4	0	1	0	3	1	4	0	0	0	1	2
Leavenworth.....	181	64	14	1	89	27	42	2	0	21	13	15
Lincoln.....	7	2	0	0	2	3	2	0	0	1	1	2
Linn.....	18	3	0	0	12	3	5	1	0	0	2	2
Logan.....	4	0	0	0	1	3	0	0	0	0	0	0
Lyon.....	86	20	2	0	52	14	21	8	0	3	13	11
Marion.....	6	1	0	0	4	1	4	0	0	1	2	1
Marshall.....	26	5	8	0	13	8	3	0	0	3	4	9
McPherson.....	26	4	2	0	16	6	7	0	8	1	4	19
Meade.....	5	2	0	0	1	2	0	0	0	0	0	0

TABLE A-5—CONTINUED. Disposition of divorce cases, year ending June 30, 1942.

COUNTIES.	Total number of cases.	Number dismissed.	Number contested.	Number denied.	Divorce granted.		Disposition of minor children.			Permanent alimony awarded.	Support of minor children decreed.	Property settlement approved by court.
					To wife.	To husband.	Number to wife.	Number to husband.	Other disposition.			
Miami.....	40	11	2	0	23	6	9	1	0	0	3	8
Mitchell.....	14	2	0	0	9	3	12	0	0	0	4	11
Montgomery.....	172	45	16	3	100	24	58	16	13	9	36	33
Morris.....	11	3	0	1	7	0	4	0	0	1	3	3
Morton.....	1	0	0	0	1	0	0	0	0	0	0	0
Nemaha.....	18	8	2	1	7	2	5	0	0	0	3	6
Nescho.....	53	15	3	0	23	15	7	2	0	1	2	13
Ness.....	9	2	2	0	6	1	2	0	0	1	2	1
Norton.....	17	5	1	0	8	4	6	0	0	0	6	10
Osage.....	16	6	1	0	6	4	4	2	0	1	3	9
Osborne.....	14	2	6	0	8	4	9	1	0	0	4	10
Ottawa.....	13	5	0	0	7	1	7	0	0	0	3	3
Pawnee.....	16	2	1	0	13	1	12	1	0	0	3	3
Phillips.....	5	0	0	0	3	2	3	0	0	1	1	4
Pottawatomie.....	12	4	2	0	5	3	4	1	2	4	1	3
Pratt.....	24	6	1	0	12	6	4	1	0	1	2	3
Rawlins.....	7	2	0	0	5	0	1	0	0	0	0	3
Reno.....	259	80	15	0	150	29	81	10	1	22	35	48
Republic.....	16	5	2	0	10	1	6	0	0	3	3	8
Rice.....	49	15	1	0	28	6	19	2	0	3	8	10
Riley.....	67	9	15	0	40	18	24	1	0	9	15	25
Rooks.....	9	1	1	0	5	3	5	1	0	2	2	2
Rush.....	13	2	2	0	9	2	11	0	0	0	0	2
Russell.....	28	9	1	1	17	2	9	3	3	3	4	2
Saline.....	114	25	9	1	64	24	63	9	2	10	38	38
Scott.....	2	1	0	0	1	0	0	0	0	0	0	0
Sedwick.....	1,188	377	105	1	631	179	390	58	13	23	234	51
Steward.....	26	5	1	0	15	6	13	3	0	0	2	12
Shawnee.....	604	220	103	4	305	75	185	19	6	34	86	141
Sheridan.....	1	0	0	0	1	0	0	0	0	0	0	0

TABLE A-5—Concluded. Disposition of divorce cases, year ending June 30, 1942.

COUNTIES.	Total number of cases.	Number dismissed.	Number contested.	Number denied.	Divorce granted.		Disposition of minor children.			Permanent alimony awarded.	Support of minor children decreed.	Property settlement approved by court.
					To wife.	To husband.	Number to wife.	Number to husband.	Other disposition.			
Sherman.....	16	4	1	0	12	0	22	0	0	1	2	5
Smith.....	16	4	0	0	9	3	3	0	0	0	1	11
Stafford.....	34	8	0	0	21	5	20	0	0	4	10	7
Stanton.....	2	0	0	0	0	2	4	0	0	0	0	0
Stevens.....	8	2	0	0	4	2	2	0	0	0	0	1
Sumner.....	67	20	0	0	40	7	41	1	0	10	12	31
Thomas.....	8	1	0	0	6	1	3	1	0	0	0	4
Trego.....	8	2	0	0	3	3	5	1	0	0	2	0
Wabunsee.....	8	2	1	0	3	3	7	2	0	2	2	2
Wallace.....	4	0	0	0	3	1	1	0	0	0	0	2
Washington.....	12	4	0	0	6	2	2	0	0	1	2	2
Wichita.....	3	0	0	0	1	2	0	0	0	0	0	2
Wilson.....	48	11	0	0	30	7	16	2	1	9	9	16
Woodson.....	9	3	1	0	5	1	2	0	0	1	2	1
Wyandotte.....	737	74	6	2	520	141	216	22	5	81	140	189
Totals.....	5,930	1,594	406	28	3,325	983	2,122	254	102	410	1,031	1,101

DISTRICT COURTS  
TABLE A-6. GROUNDS FOR DIVORCES GRANTED, YEAR ENDING JUNE 30, 1942

COUNTIES.	Total number granted.	Gross neglect of duty.	Extreme cruelty.	Gross neglect and extreme cruelty.	Abandonment.	Adultery.	Insanity.	Drunkenness.	Conviction of felony.	Miscellaneous.
Allen.....	32	8	4	5	14	1	0	0	0	0
Anderson.....	13	5	1	0	6	0	0	0	1	1
Atchison.....	48	42	1	0	4	0	0	0	0	0
Barber.....	9	0	8	0	1	0	0	0	0	0
Barton.....	59	19	32	0	8	0	0	0	0	0
Bourbon.....	49	31	5	3	9	0	0	1	0	0
Brown.....	18	12	1	0	4	0	0	1	0	0
Butler.....	72	20	32	4	16	0	0	0	0	0
Chase.....	9	6	1	0	1	0	0	0	1	0
Chautauqua.....	16	4	4	5	1	0	1	1	0	0
Cherokee.....	50	6	26	1	12	2	0	1	1	1
Cheyenne.....	5	0	0	0	5	0	0	0	0	0
Clark.....	5	2	1	1	1	0	0	0	0	0
Clay.....	14	3	3	0	8	0	0	0	0	0
Cloud.....	25	2	4	14	5	0	0	0	0	0
Coffey.....	21	15	0	0	4	0	1	0	0	1
Comanche.....	3	1	0	1	1	0	0	0	0	0
Cowley.....	124	68	44	0	9	0	0	0	3	0
Crawford.....	101	11	60	0	28	0	2	0	0	0
Decatur.....	4	0	2	0	2	0	0	0	0	0
Dickinson.....	20	0	6	8	6	0	0	0	0	0
Doniphan.....	10	7	0	2	1	0	0	0	0	0
Douglas.....	61	30	13	0	14	0	2	1	1	0
Edwards.....	8	1	4	3	0	0	0	0	0	0
Elk.....	11	0	3	0	7	0	0	0	0	1
Ellis.....	5	2	0	3	0	0	0	0	0	0
Ellsworth.....	11	3	5	0	3	0	0	0	0	0
Finney.....	24	6	9	2	5	0	0	2	0	0
Ford.....	47	22	13	0	11	0	0	0	1	0
Franklin.....	33	15	6	1	9	1	0	1	0	0

TABLE A-6—CONTINUED. Grounds for divorces granted, year ending June 30, 1942

COUNTIES.	Total number granted.	Gross neglect of duty.	Extreme cruelty.	Gross neglect and extreme cruelty.	Abandon- ment.	Adultery.	Insanity.	Drunken- ness.	Convic- tion of felony.	Miscel- laneous.
Geary.....	60	6	15	16	16	1	1	3	2	0
Gove.....	3	3	0	0	0	0	0	0	0	0
Graham.....	7	0	4	0	1	0	1	0	0	1
Grant.....	2	0	1	0	1	0	0	0	0	0
Gray.....	3	1	1	0	1	0	0	0	0	0
Greeley.....	2	0	0	0	1	0	0	0	0	1
Greenwood.....	23	2	0	17	4	0	0	0	0	0
Hamilton.....	3	0	0	1	2	0	0	0	0	0
Harper.....	15	1	5	3	6	0	0	0	0	0
Harvey.....	35	6	22	1	6	0	0	0	0	0
Haskell.....	3	0	0	0	3	0	0	0	0	0
Hodgeman.....	4	0	1	0	3	0	0	0	0	0
Jackson.....	13	5	4	0	3	0	0	0	0	0
Jefferson.....	23	12	0	6	1	0	0	0	0	1
Jewell.....	6	0	0	1	3	0	0	2	0	4
Johnson.....	56	42	6	0	8	0	0	0	0	0
Kearny.....	1	1	0	0	0	0	0	0	0	0
Kingman.....	14	1	1	8	1	1	2	0	0	0
Kiowa.....	5	4	1	0	1	0	0	0	0	0
Labette.....	79	6	5	34	17	2	1	4	1	9
Lane.....	4	0	3	1	0	0	0	0	0	0
Leavenworth.....	116	94	4	0	16	0	0	0	2	0
Lincoln.....	5	0	2	1	1	0	0	0	0	0
Linn.....	15	6	0	0	8	0	1	0	0	1
Logan.....	4	2	0	0	2	0	0	0	0	0
Lyon.....	66	18	26	10	10	0	1	0	1	0
Marion.....	5	0	1	1	3	0	0	0	0	0
Marshall.....	21	5	8	0	8	0	0	0	0	0
McPherson.....	22	16	0	0	6	0	0	0	0	0
Meade.....	3	1	0	0	2	0	0	0	0	0



TABLE A-6—CONTINUED. Grounds for divorces granted, year ending June 30, 1942

COUNTIES.	Total number granted.	Gross neglect of duty.	Extreme cruelty.	Gross neglect and extreme cruelty.	Abandon- ment.	Adultery.	Insanity.	Drunken- ness.	Convic- tion of felony.	Miscel- laneous.
Miami.....	29	15	11	0	3	0	0	0	0	0
Mitchell.....	12	1	0	6	4	0	0	0	1	0
Montgomery.....	124	38	49	4	25	1	1	2	1	5
Morris.....	7	0	5	0	0	0	0	0	0	0
Morton.....	1	0	1	0	0	0	0	0	0	0
Nemaha.....	9	6	2	0	1	0	0	0	0	0
Neosho.....	38	6	3	11	17	1	0	0	0	0
Ness.....	7	0	0	1	5	0	0	0	0	1
Norton.....	17	4	5	0	3	0	0	0	0	0
Osage.....	10	0	5	0	5	0	0	0	0	0
Osborne.....	12	0	0	7	1	0	0	2	0	2
Ottawa.....	18	1	6	0	0	0	0	0	0	1
Pawnee.....	14	7	0	0	7	0	0	0	0	0
Phillips.....	5	5	0	0	0	0	0	0	0	0
Pottawatomie.....	8	1	2	2	3	0	0	0	0	0
Pratt.....	18	0	5	6	6	0	0	0	1	0
Rawlins.....	5	5	0	0	0	0	0	0	0	0
Reno.....	179	99	54	0	25	0	0	0	1	0
Republic.....	11	5	3	1	1	0	0	1	0	0
Rice.....	34	10	5	10	8	0	0	0	1	0
Riley.....	58	4	37	0	15	0	1	0	1	0
Rooks.....	8	2	0	0	4	0	1	1	0	0
Rush.....	11	0	11	0	0	0	0	0	0	0
Russell.....	10	11	3	2	3	0	0	0	0	0
Saline.....	88	19	26	28	13	0	0	0	1	1
Scott.....	1	0	0	0	1	0	0	0	0	0
Sedgwick.....	810	309	289	67	121	0	2	2	4	14
Seward.....	21	4	8	0	8	0	0	0	1	0
Shawnee.....	380	238	42	38	50	0	2	2	6	2
Sheridan.....	1	0	0	0	1	0	0	0	0	0

TABLE A-6—CONCLUDED. Grounds for divorce granted, year ending June 30, 1942.

COUNTIES.	Total number granted.	Gross neglect of duty.	Extreme cruelty.	Gross neglect and extreme cruelty.	Abandon- ment.	Adultery.	Insanity.	Drunken- ness.	Convic- tion of felony.	Miscel- laneous.
Sherman.....	12	0	5	1	4	0	0	0	0	2
Smith.....	12	5	0	2	4	0	0	1	0	0
Stafford.....	26	6	3	5	8	0	0	3	1	0
Stanton.....	2	2	0	0	0	0	0	0	0	0
Stevens.....	6	2	2	0	2	0	0	0	0	0
Sumner.....	47	35	7	1	4	0	0	0	0	0
Thomas.....	7	0	2	2	3	0	0	0	0	0
Trego.....	6	2	1	1	2	0	0	0	0	0
Wabunsee.....	6	2	0	2	1	0	1	0	0	0
Wallace.....	4	2	0	2	0	0	0	0	0	0
Washington.....	8	0	0	6	2	0	0	0	0	0
Whitla.....	3	1	1	0	1	0	0	0	0	0
Wilson.....	37	27	7	0	3	0	0	0	0	0
Woodson.....	6	1	1	0	4	0	0	0	0	0
Wyandotte.....	661	22	457	15	161	0	0	0	4	2
Totals.....	4,308	1,468	1,455	373	860	12	21	31	37	51

DISTRICT COURTS  
TABLE B-1. DISPOSITION OF CRIMINAL CASES, YEAR ENDING JUNE 30, 1942.

COUNTIES.	Total number disposed of.	Transcript but no information.	Disposed of without conviction.			Convicted.							Paroles granted.	Paroles revoked.
			Total number dismissed or acquitted.	Dis-missed.	Ac-quitted.	Total number con-victed.	Guilty of offense charged.		Guilty of lesser offense.		Number of appeals.			
							By plea.	By verdict.	By plea.	By verdict.				
Allen.....	†21	3	7	6	1	14	5	6	3	0	1	6	0	
Anderson.....	11	0	1	1	0	10	9	1	0	0	0	2	0	
Archison.....	25	19	20	19	1	5	3	2	0	0	1	2	0	
Barber.....	7	0	3	3	0	4	4	0	0	0	0	2	2	
Barton.....	†41	5	7	6	1	34	29	2	3	0	0	15	5	
Bourbon.....	*32	1	1	1	0	31	29	2	0	0	0	19	1	
Brown.....	9	0	2	1	1	7	7	0	0	0	0	2	1	
Butler.....	†35	0	15	15	0	20	15	4	1	0	0	7	0	
Chase.....	1	0	0	0	0	1	1	0	0	0	0	0	0	
Chautauqua.....	*10	0	3	3	0	7	6	1	0	0	1	2	0	
Cherokee.....	16	6	4	4	0	12	6	6	0	0	3	0	0	
Cheyenne.....	4	0	0	0	0	4	4	0	0	0	0	4	0	
Clark.....	0	0	0	0	0	0	0	0	0	0	0	0	0	
Clay.....	9	2	4	4	0	5	0	0	0	0	0	2	1	
Cloud.....	†13	2	5	4	1	8	6	0	2	0	0	0	0	
Coffey.....	8	1	2	2	0	6	6	0	0	0	0	2	0	
Comanche.....	6	0	2	2	0	4	2	2	0	0	0	1	0	
Cowley.....	*36	8	11	7	4	25	16	4	5	0	2	15	3	
Crawford.....	32	2	20	20	0	12	11	1	0	0	0	2	0	
Decatur.....	3	0	1	0	1	2	2	0	0	0	0	1	0	
Dickinson.....	7	1	2	2	0	5	5	0	0	0	0	0	0	
Doniphan.....	8	0	0	0	0	8	7	0	0	1	0	0	0	
Douglas.....	33	8	20	15	5	13	5	6	2	0	0	3	0	
Edwards.....	2	2	2	2	0	0	0	0	0	0	0	0	1	
Elk.....	11	0	1	0	1	10	10	0	0	0	0	4	1	
Ellis.....	17	3	8	8	0	9	9	0	0	0	0	4	1	
Ellsworth.....	7	0	2	1	1	5	4	1	0	0	0	1	0	
Finney.....	*30	0	17	16	1	13	12	0	1	0	0	4	0	
Ford.....	19	9	7	7	0	12	11	1	0	0	0	2	0	
Franklin.....	22	0	11	10	1	11	6	5	0	0	1	5	1	

TABLE B-1—CONTINUED. Disposition of criminal cases, year ending June 30, 1942.

COUNTIES.	Total number disposed of.	Transcript but no information.	Disposed of without conviction.			Convicted.						Paroles granted.	Paroles revoked.
			Total number dismissed or acquitted.	Dis-missed.	Ac-quitted.	Total number con-victed.	Guilty of offense charged.		Guilty of lesser offense.		Number of appeals.		
							By plea.	By verdict.	By plea.	By verdict.			
Geary.....	29	8	11	9	2	18	14	2	0	2	1	3	2
Gove.....	6	1	4	3	1	2	0	0	0	0	0	1	0
Graham.....	2	0	1	1	0	1	1	0	0	0	0	1	1
Grant.....	2	1	0	1	0	2	0	2	0	0	0	1	0
Gray.....	*8	0	7	7	0	1	1	0	0	0	0	0	0
Greeley.....	3	0	0	0	0	3	2	1	0	0	1	0	0
Greenwood.....	11	0	2	1	1	9	1	8	0	0	0	3	0
Hamilton.....	5	0	0	0	0	5	5	0	0	0	0	4	0
Harper.....	17	6	8	8	0	9	7	2	0	0	0	6	0
Harvey.....	18	0	2	2	0	16	13	0	3	0	0	9	0
Haskell.....	*5	0	0	0	0	5	5	0	0	0	0	0	0
Hodgeman.....	2	1	1	0	1	1	1	0	0	0	0	0	0
Jackson.....	18	0	4	4	0	14	12	0	2	0	0	2	1
Jefferson.....	*16	0	6	6	0	10	4	6	0	0	0	3	0
Jewell.....	5	0	2	1	1	3	2	0	1	0	0	1	0
Johnson.....	15	4	4	4	0	11	9	0	2	0	0	0	0
Kearny.....	2	1	1	1	0	1	1	0	0	0	0	0	0
Kingman.....	7	5	5	3	2	2	2	0	0	0	0	4	0
Kiowa.....	7	0	1	1	0	6	6	0	0	0	0	0	0
Labette.....	61	0	19	19	0	42	27	4	8	3	0	6	1
Lane.....	0	2	0	0	0	0	0	0	0	0	0	0	0
Leavenworth.....	22	0	5	4	1	17	6	3	8	0	0	0	0
Lincoln.....	9	1	5	3	2	4	3	1	0	0	0	2	1
Linn.....	20	0	12	11	1	8	4	3	1	0	0	3	0
Logan.....	9	2	6	6	0	3	3	0	0	0	0	0	0
Lyon.....	*13	0	1	1	0	12	10	2	0	0	0	4	0
Marion.....	9	1	5	4	1	4	4	0	0	0	1	1	0
Marshall.....	9	0	0	4	0	4	3	0	1	0	0	0	0
McPherson.....	15	0	8	7	1	7	5	2	0	0	0	5	0
Meade.....	4	0	0	0	0	4	3	0	1	0	0	1	0

TABLE B-1—CONTINUED. Disposition of criminal cases, year ending June 30, 1942.

COUNTIES.	Total number disposed of.	Transcript but no information.	Disposed of without conviction.			Convicted.						Paroles granted.	Paroles revoked.
			Total number dismissed.	Dis- missed.	Ac- quitted.	Guilty of offense charged.		Guilty of lesser offense.		Number of appeals.			
						By plea.	By verdict.	By plea.	By verdict.				
Miami.....	16	3	7	6	1	9	7	2	0	0	0	2	0
Mitchell.....	1	0	0	0	0	1	1	0	0	0	0	1	0
Montgomery.....	*94	27	44	36	8	50	36	7	7	0	0	7	1
Morris.....	6	0	2	2	0	4	4	0	0	0	0	3	0
Morton.....	*3	2	0	0	0	3	2	0	0	1	0	1	0
Nemaha.....	†17	0	9	5	4	8	3	2	3	0	1	0	0
Neosho.....	15	0	1	1	0	14	12	1	1	0	1	7	1
Ness.....	5	2	4	2	2	1	1	0	0	0	0	0	0
Norton.....	0	0	0	0	0	0	0	0	0	0	0	0	0
Osage.....	7	0	2	2	0	5	3	0	2	0	0	4	0
Osborne.....	4	1	2	2	0	2	2	0	0	0	0	1	0
Ottawa.....	6	0	2	2	0	4	1	2	1	0	0	1	0
Pawnee.....	3	1	2	1	1	1	1	0	0	0	0	1	0
Phillips.....	2	0	1	1	0	1	1	0	0	0	0	0	0
Pottawatomie.....	9	0	5	5	0	4	4	0	0	0	0	1	0
Prairie.....	10	3	6	5	1	4	3	1	0	0	0	6	1
Rawlins.....	0	0	0	0	0	0	0	0	0	0	0	1	0
Reno.....	73	29	36	35	1	37	22	1	14	0	0	19	3
Republic.....	2	0	1	1	0	1	0	1	0	0	1	0	1
Rice.....	26	0	7	6	1	19	19	0	0	0	0	17	1
Riley.....	28	0	11	10	1	17	15	2	0	0	0	9	0
Rooks.....	9	2	1	0	1	8	7	1	0	0	0	14	1
Rush.....	2	1	0	0	0	2	1	1	0	0	0	0	0
Russell.....	12	0	1	1	0	11	11	0	0	0	0	1	0
Saline.....	31	2	8	6	2	23	11	1	11	0	1	5	1
Scott.....	3	2	2	2	0	1	1	0	0	0	1	1	0
Sedgwick.....	347	0	207	199	8	140	113	26	0	1	0	100	10
Seward.....	14	8	7	7	1	7	6	1	0	1	0	5	0
Shawnee.....	255	80	113	103	10	142	126	12	4	0	0	63	2
Sheridan.....	3	0	2	2	0	1	1	0	0	0	0	0	0

TABLE B-1—Continued. Disposition of criminal cases, year ending June 30, 1942.

COUNTIES.	Total number disposed of.	Transcript but no information.	Disposed of without conviction.			Convicted.						Paroles granted.	Paroles revoked.
			Total number dismissed or acquitted.	Dis-missed.	Ac-quitted.	Total number con-victed.	Guilty of offense charged.		Guilty of lesser offense.		Number of appeals.		
							By plea.	By verdict.	By plea.	By verdict.			
Sherman.....	7	2	3	2	1	4	3	1	0	0	0	1	0
Smith.....	4	0	1	1	0	3	3	0	0	0	0	11	2
Stafford.....	9	0	2	2	0	7	0	6	0	1	0	1	0
Stanton.....	1	0	0	0	0	1	1	0	0	0	0	0	0
Stevens.....	4	4	2	2	0	2	2	0	0	0	0	0	0
Sumner.....	11	0	4	4	0	7	6	1	0	0	2	2	0
Thomas.....	2	0	0	0	0	2	2	0	0	0	0	1	0
Trego.....	5	0	3	3	0	2	0	2	0	0	0	0	0
Wabunsee.....	11	1	6	6	0	5	5	0	0	0	0	0	0
Wallace.....	0	0	0	0	0	0	0	0	0	0	0	0	0
Washington.....	*2	0	1	1	0	1	0	1	0	0	0	0	0
Wichita.....	7	2	3	1	2	4	4	0	0	0	0	1	0
Wilson.....	*27	1	9	9	0	18	15	2	1	0	0	4	0
Woodson.....	6	0	1	1	0	5	1	4	0	0	0	9	0
Wyandotte.....	†163	84	91	84	7	72	27	11	34	0	0	1	0
Totals.....	2,081	368	907	823	84	1,174	867	176	123	8	20	524	48

\* One hung jury.

† Two hung juries.

Total, 24 cases in which there was a hung jury.

DISTRICT COURTS  
TABLE B-2. TIME ELAPSED IN CRIMINAL CASES, YEAR ENDING JUNE 30, 1942.

COUNTIES.	Cases tried.			Pretrial motions.			Post-trial motions except parole motions.		
	Total number.	Tried within 6 months from filing.		Total number.	Disposed of within 30 days.		Total number.	Disposed of within 30 days.	
		Number.	Percent.		Number.	Percent.		Number.	Percent.
Allen.....	9	5	55	1	1	100	8	8	100
Anderson.....	1	1	100	1	1	100	0	0	0
Atchison.....	3	3	100	5	4	80	1	1	100
Barber.....	0	0	0	0	0	0	0	0	0
Barton.....	5	4	80	4	4	100	2	2	100
Bourbon.....	3	3	100	2	2	100	3	3	100
Brown.....	1	1	100	0	0	0	0	0	0
Budler.....	6	2	66	1	1	100	2	2	100
Chase.....	0	0	0	0	0	0	0	0	0
Chautauqua.....	2	0	0	1	1	100	1	1	100
Cherokee.....	6	6	100	7	7	100	3	3	100
Cheyenne.....	0	0	0	1	1	100	0	0	0
Clark.....	0	0	0	0	0	0	0	0	0
Clay.....	5	5	100	4	4	100	0	0	0
Cloud.....	3	2	66	9	9	100	4	4	100
Coffey.....	0	0	0	2	2	100	0	0	0
Comanche.....	2	2	100	1	1	100	1	1	100
Cowley.....	9	8	90	11	11	100	9	7	77
Crawford.....	1	1	100	1	1	100	0	0	0
Decatur.....	1	1	100	2	2	100	0	0	0
Dickinson.....	0	0	0	0	0	0	0	0	0
Doniphan.....	1	1	100	0	0	0	0	0	0
Douglas.....	11	11	100	1	1	100	5	5	100
Edwards.....	0	0	0	1	1	100	0	0	0
Elk.....	1	1	100	0	0	0	0	0	0

TABLE B-2—CONTINUED. Time elapsed in criminal cases, year ending June 30, 1942.

COUNTIES.	Cases tried.			Pretrial motions.			Post-trial motions except parole motions.		
	Total number.	Tried within 6 months from filing.		Total number.	Disposed of within 30 days.		Total number.	Disposed of within 30 days.	
		Number.	Percent.		Number.	Percent.		Number.	Percent.
Ellis.....	0	0	0	0	0	0	0	0	0
Ellsworth.....	2	2	100	1	100	0	0	0	0
Finney.....	2	2	100	4	100	1	1	100	100
Ford.....	0	0	0	1	100	5	4	80	0
Franklin.....	6	6	100	0	0	4	4	100	100
Geary.....	6	6	100	0	0	2	2	100	100
Gove.....	3	3	100	5	100	0	0	0	0
Graham.....	0	0	0	1	100	0	0	0	0
Grant.....	2	2	100	0	0	0	0	0	0
Gray.....	1	1	100	0	0	0	0	0	0
Greeley.....	1	1	100	1	100	1	1	100	100
Greenwood.....	9	9	100	2	100	0	0	0	0
Hamilton.....	0	0	0	0	0	0	0	0	0
Harper.....	0	0	0	0	0	4	4	100	100
Harvey.....	2	1	50	0	0	0	0	0	0
Harvey.....	0	0	0	7	100	0	0	0	0
Haskell.....	1	1	100	0	0	0	0	0	0
Hodgeman.....	1	1	100	0	0	0	0	0	0
Jackson.....	0	0	0	10	100	0	0	0	0
Jefferson.....	7	7	100	1	100	1	1	100	100
Jewell.....	1	1	100	0	0	1	1	100	100
Johnson.....	0	0	0	7	71	0	0	0	0
Kearny.....	0	0	0	0	0	0	0	0	0
Kingman.....	2	2	100	0	0	0	0	0	0
Kiowa.....	0	0	0	0	0	0	0	0	0
Labette.....	7	7	100	30	100	4	4	100	100
Lane.....	0	0	0	0	0	0	0	0	0
Leavenworth.....	4	4	100	2	100	3	3	100	100
Lincoln.....	3	3	100	9	100	3	3	100	100
Linn.....	4	4	100	1	100	2	2	100	100
Logan.....	0	0	0	6	100	0	0	0	0



TABLE B-2—CONTINUED. Time elapsed in criminal cases, year ending June 30, 1942.

COUNTIES.	Cases tried.			Pretrial motions.			Post-trial motions except parole motions.		
	Total number.	Tried within 6 months from filing.		Total number.	Disposed of within 30 days.		Total number.	Disposed of within 30 days.	
		Number.	Percent.		Number.	Percent.		Number.	Percent.
Lyon.....	3	3	100	2	2	100	4	4	100
Marion.....	1	1	100	5	5	100	0	0	0
Marshall.....	0	0	0	0	0	0	0	0	0
McPherson.....	3	1	33	4	3	75	0	0	0
Meade.....	0	0	0	0	0	0	0	0	0
Miami.....	3	3	100	1	1	100	1	0	0
Mitchell.....	0	0	0	0	0	0	0	0	0
Montgomery.....	16	16	100	36	36	100	3	3	100
Morris.....	0	0	0	3	3	100	0	0	0
Morton.....	1	1	100	0	0	0	0	0	0
Nemaha.....	8	5	63	0	0	0	2	2	100
Neosho.....	1	1	100	4	4	100	4	4	100
Ness.....	2	2	100	0	0	0	0	0	0
Norton.....	0	0	0	0	0	0	0	0	0
Osage.....	0	0	0	1	1	100	0	0	0
Osborne.....	0	0	0	2	2	100	0	0	0
Ottawa.....	2	2	100	2	2	100	0	0	0
Pawnee.....	1	1	100	0	0	0	0	0	0
Phillips.....	0	0	0	0	0	0	0	0	0
Pottawatomie.....	0	0	0	0	0	0	0	0	0
Pratt.....	2	2	100	7	7	100	1	1	100
Rawlins.....	0	0	0	0	0	0	0	0	0
Reno.....	2	2	100	3	3	100	7	7	100
Republic.....	2	2	100	2	2	100	6	6	86
Rice.....	1	1	100	3	3	100	2	2	100
Riley.....	3	2	66	1	1	100	3	1	33
Rooks.....	2	2	100	0	0	0	1	0	0
Rush.....	1	1	100	0	0	0	0	0	0
Russell.....	0	0	0	0	0	0	0	0	0
Saline.....	3	3	100	3	3	100	1	1	100

TABLE B-2—CONCLUDED. Time elapsed in criminal cases, year ending June 30, 1942.

COUNTIES.	Cases tried.			Pretrial motions.			Post-trial motions except parole motions.		
	Total number.	Tried within 6 months from filing.		Total number.	Disposed of within 30 days.		Total number.	Disposed of within 30 days.	
		Number.	Percent.		Number.	Percent.		Number.	Percent.
Scott.....	0	0	0	0	0	0	0	0	0
Sedgwick.....	35	25	71	10	10	100	40	98	0
Seward.....	1	1	100	4	4	100	1	100	0
Shawnee.....	22	21	96	18	17	94	57	98	0
Sheridan.....	0	0	0	1	1	100	0	0	0
Sherman.....	2	1	50	1	1	100	0	0	0
Smith.....	0	0	0	0	0	0	0	0	0
Stafford.....	7	7	100	3	3	100	2	100	0
Stanton.....	0	0	0	0	0	0	1	100	0
Stevens.....	0	0	0	0	0	0	0	0	0
Sumner.....	1	1	100	4	3	75	0	0	0
Thomas.....	0	0	0	0	0	0	0	0	0
Trego.....	2	2	100	0	0	0	0	0	0
Wabauensee.....	0	0	0	2	2	100	1	100	0
Wallace.....	0	0	0	0	0	0	0	0	0
Washington.....	2	2	100	1	1	100	1	100	0
Wichita.....	2	2	100	1	1	100	0	0	0
Wilson.....	3	2	66	2	2	100	1	100	0
Woodson.....	4	4	100	7	6	86	1	100	0
Wyandotte.....	20	14	70	235	235	100	17	81	0
Totals.....	292	249	85	511	504	99	220	94	0

## DISTRICT COURTS

TABLE B-3. NATURE OF CRIMES, STATE AS A WHOLE—YEAR ENDING JUNE 30, 1942.

	Filed.	Dismissed.	Plea to charge.	Plea to lesser offense.	Convicted.	Acquitted.	Hung juries.
<b>Felonies:</b>							
Murder.....	29	2	4	3	14	6	0
Manslaughter.....	13	0	5	1	4	1	0
Rape.....	53	19	16	3	14	2	1
Robbery.....	65	16	34	4	7	2	2
Felonious assault.....	69	27	24	3	8	6	1
Other crimes against person.....	26	11	12	0	1	1	0
Arson.....	16	6	4	3	1	2	0
Forgery.....	153	25	104	12	7	4	1
Grand larceny.....	303	62	183	13	31	11	3
Auto larceny.....	48	11	29	4	3	1	0
Embezzlement.....	24	8	7	0	5	3	1
Burglary.....	177	32	87	39	10	8	1
Other crimes against property.....	37	21	11	1	3	0	1
Desertion (wife or child).....	103	49	42	1	6	3	2
Narcotics.....	8	1	5	0	2	0	0
Liquor—persistent.....	86	11	32	5	22	7	9
Bad checks.....	50	30	13	1	3	3	0
Other felonies.....	61	20	31	7	2	1	0
Total felonies.....	1,321	351	643	100	143	61	23
<b>Misdemeanors:</b>							
Assaults.....	41	29	9	0	1	2	0
Petty larceny.....	39	16	18	1	2	1	1
Liquor.....	535	321	158	19	23	14	0
Disturbing peace.....	23	16	3	0	4	0	0
Traffic offenses.....	50	33	12	2	2	1	0
Bad checks.....	3	1	2	0	0	0	0
Other misdemeanors.....	93	56	22	1	9	5	0
Total misdemeanors.....	784	472	224	23	41	23	1
Total cases.....	2,105	823	867	123	184	84	24

PROBATE COURTS  
TABLE C-1. SUMMARY OF BUSINESS HANDLED—YEAR ENDING JUNE 30, 1942.

COUNTIES.	Estates of decedents.			Guardianships.			Trusts under supervision.	Juvenile cases.	Adoption proceedings.	Insanity hearings.	Determination of descent.	Habeas corpus hearings.	Orders in absence of district judge.	Marriages per licenses issued.	Marriages performed by judge.
	Foreign transcripts.	Opened during year.	Closed during year.	Foreign transcripts.	Opened during year.	Closed during year.									
Allen.....	0	33	60	0	9	6	1	31	2	10	18	1	0	254	126
Anderson.....	7	46	38	0	13	106	6	3	1	7	19	0	0	116	145
Atchison.....	8	54	59	1	16	5	4	6	8	11	13	1	0	247	85
Barber.....	0	29	16	2	3	0	2	2	3	2	5	0	0	74	28
Barton.....	6	80	66	4	16	16	8	14	5	2	22	1	5	234	36
Bourbon.....	2	39	60	3	6	5	4	10	4	15	33	0	0	251	102
Brown.....	4	55	72	8	6	13	16	13	2	6	11	0	6	262	53
Butler.....	27	61	61	3	16	5	10	29	10	16	38	0	0	342	112
Chase.....	9	22	17	0	0	11	3	0	2	3	7	0	0	101	47
Chautauqua.....	16	31	20	0	10	8	0	1	2	7	8	0	2	214	147
Cherokee.....	0	56	48	3	12	63	5	17	5	22	49	0	1	528	318
Cheyenne.....	7	10	9	0	3	0	0	1	2	4	10	0	0	235	129
Clark.....	22	11	6	3	4	1	0	7	5	3	3	0	0	33	17
Clay.....	9	41	57	1	12	11	9	3	5	5	10	1	2	189	42
Cloud.....	0	53	63	0	4	8	7	10	3	14	16	0	0	186	47
Coffey.....	13	21	21	2	3	5	0	2	1	9	6	0	4	78	32
Comanche.....	0	13	4	0	2	0	0	0	0	2	0	0	0	58	24
Cowley.....	3	73	85	6	15	9	7	100	12	45	60	0	0	518	162
Crawford.....	3	56	85	1	5	14	8	5	21	25	68	0	0	450	130
Decatur.....	7	34	24	1	5	2	0	0	1	3	9	0	2	176	109
Dickinson.....	8	85	86	5	18	25	17	9	5	12	41	0	11	196	58
Doniphan.....	14	36	52	0	8	5	4	36	0	9	4	1	1	280	161
Douglas.....	1	52	67	1	9	11	22	13	3	12	43	0	1	510	163
Edwards.....	0	22	36	0	6	5	0	0	2	7	12	0	3	14	14
Elk.....	0	15	34	0	0	8	0	5	1	4	31	0	3	66	26

TABLE C-1—CONTINUED. Summary of business handled—year ending June 30, 1942.

COUNTIES.	Estates of decedents.			Guardianships.			Trusts under supervision.	Juvenile cases.	Adoption proceedings.	Insanity hearings.	Determination of descent.	Habeas corpus hearings.	Orders in absence of district judge.	Marriage licenses issued.	Marriages performed by judge.
	Foreign transcripts.	Opened during year.	Closed during year.	Foreign transcripts.	Opened during year.	Closed during year.									
Ellis.....	5	33	41	1	7	8	3	5	5	9	3	0	3	196	42
Ellsworth.....	6	29	36	1	11	2	8	2	2	6	16	0	0	109	38
Finey.....	22	11	8	1	3	2	0	2	5	2	6	0	0	149	37
Ford.....	2	24	35	0	9	7	1	9	9	6	11	0	5	215	50
Franklin.....	2	74	73	0	12	83	16	7	4	7	31	0	8	237	73
Geary.....	6	41	33	0	11	6	0	7	11	11	16	0	6	920	241
Gove.....	14	10	12	0	1	1	0	3	1	1	6	0	0	20	3
Graham.....	6	22	10	0	3	2	2	3	1	3	7	0	0	56	25
Grant.....	3	0	5	1	1	0	0	0	1	1	0	0	0	13	6
Gray.....	28	8	8	5	0	2	0	0	2	2	8	0	1	62	32
Greeley.....	24	26	1	0	1	0	0	0	0	1	2	0	0	38	31
Greenwood.....	15	33	49	4	8	7	1	15	5	0	16	0	10	137	60
Hamilton.....	12	5	11	0	3	0	0	4	0	5	5	0	5	214	145
Harper.....	4	41	49	4	7	7	6	3	2	2	15	0	3	113	50
Harvey.....	0	66	61	4	11	10	0	22	8	9	48	0	2	706	220
Haskell.....	0	5	7	0	1	0	0	0	1	0	1	0	0	8	3
Hodgeman.....	20	6	5	0	4	0	0	4	2	2	12	0	1	32	5
Jackson.....	13	34	58	1	4	2	1	5	2	4	10	0	5	150	39
Jefferson.....	12	24	31	0	12	4	2	3	2	11	17	0	2	121	64
Jewell.....	15	32	23	2	5	7	3	4	4	4	18	0	0	109	75
Johnson.....	27	71	62	2	20	7	4	5	8	24	40	0	4	1,759	1,221
Keary.....	18	5	27	4	0	1	1	1	1	0	3	0	0	52	41
Kingman.....	21	21	27	3	2	1	4	4	4	4	15	0	0	151	42
Kiowa.....	1	15	21	0	2	0	0	0	1	0	5	0	0	37	14
Lafayette.....	3	55	59	15	12	13	5	10	16	18	72	0	0	315	142
Lane.....	0	23	11	0	0	0	1	0	0	1	1	0	0	14	14
Leavenworth.....	7	80	66	0	13	8	6	33	12	41	27	2	6	525	243
Lincoln.....	5	37	43	3	4	6	0	0	0	2	6	0	1	50	13
Linn.....	3	35	23	0	15	6	1	1	2	11	43	0	0	50	20
Logan.....	0	28	25	0	1	1	0	0	1	1	0	0	0	28	26

TABLE C-1—CONTINUED. Summary of business handled—year ending June 30, 1942.

COUNTRIES.	Estates of decedents.			Guardianships.			Trusts under supervision.	Juvenile cases.	Adoption proceedings.	Insanity hearings.	Determinations of descent.	Habeas corpus hearings.	Orders in absence of district judge.	Marriage licenses issued.	Marriages performed by judge.
	Foreign transcripts.	Opened during year.	Closed during year.	Foreign transcripts.	Opened during year.	Closed during year.									
Lyon.....	12	60	36	1	17	0	2	93	7	18	20	0	0	261	47
Marion.....	12	53	52	2	7	9	4	5	3	4	31	0	0	163	29
Marshall.....	10	71	62	0	17	10	11	12	1	5	21	1	1	325	149
McPherson.....	4	49	93	12	15	11	0	12	9	8	48	0	10	62	19
Meade.....	0	5	16	0	2	0	0	2	2	2	14	2	1	52	19
Miami.....	39	41	46	15	10	3	5	9	3	24	23	0	4	338	156
Mitchell.....	0	42	56	1	16	5	0	5	0	11	10	1	0	135	42
Montgomery.....	6	98	107	1	24	20	8	34	14	38	60	0	3	697	189
Morris.....	1	20	26	0	3	11	2	0	3	8	18	0	2	70	22
Morton.....	12	7	7	0	0	0	0	0	0	0	0	0	0	30	14
Nemaha.....	2	47	44	3	15	7	9	5	1	11	13	0	2	163	62
Neosho.....	7	69	67	2	10	16	2	13	2	15	25	0	0	200	76
Ness.....	2	9	21	0	4	3	0	2	0	15	4	0	0	39	8
Norton.....	1	1	1	1	5	0	0	1	1	1	7	0	2	172	102
Osage.....	9	32	43	4	9	5	5	3	4	6	32	0	0	170	64
Osborne.....	1	53	44	0	2	2	0	3	1	2	9	0	2	71	24
Ottawa.....	0	24	38	1	9	4	1	8	4	5	22	0	4	64	30
Pawnee.....	0	27	23	5	7	0	0	1	2	17	5	0	3	108	32
Phillips.....	0	19	26	0	13	2	0	1	2	5	13	0	0	139	70
Pottawatomie.....	3	58	43	0	6	4	2	2	0	14	8	0	2	99	41
Pratt.....	6	30	31	2	5	4	0	1	5	2	17	0	5	160	49
Rawlins.....	11	20	29	1	4	9	1	1	0	0	6	0	0	55	26
Reno.....	1	94	54	0	18	10	7	131	8	9	35	0	0	621	86
Republic.....	6	30	44	1	5	8	8	3	1	5	23	0	1	163	65
Rice.....	5	40	61	4	24	5	3	5	4	7	20	0	4	176	42
Riley.....	19	55	68	0	10	8	6	4	3	18	15	0	1	505	107
Rooks.....	0	30	36	2	6	1	2	0	0	9	28	0	0	86	25
Rush.....	25	21	15	5	15	4	1	0	3	4	15	0	6	62	7
Russell.....	11	37	23	0	7	6	4	0	4	3	8	0	9	96	31
Saline.....	2	80	88	0	13	17	6	20	16	23	31	0	6	386	117

TABLE C-1—CONCLUDED. Summary of business handled—year ending June 30, 1942.

COUNTIES.	Estates of decedents.			Guardianships.			Trusts under supervision.	Juvenile cases.	Adoption proceedings.	Insanity hearings.	Determination of descent.	Habeas corpus hearings.	Orders in absence of district judge.	Marriage licenses issued.	Marriages performed by judge.
	Foreign transcripts.	Opened during year.	Closed during year.	Foreign transcripts.	Opened during year.	Closed during year.									
Scott.....	10	7	1	0	0	0	1	0	0	0	0	0	0	67	33
Sedgwick.....	12	262	275	5	88	24	14	752	98	90	161	1	0	3,257	375
Seward.....	19	18	21	2	2	3	0	19	4	5	3	0	2	133	86
Shawnee.....	6	162	165	1	40	16	19	133	32	177	68	0	0	1,074	130
Sheridan.....	16	12	13	0	1	2	0	0	1	0	3	0	3	41	19
Sherman.....	18	14	16	3	4	2	0	5	1	5	11	1	7	439	269
Smith.....	5	32	41	1	8	5	2	3	5	4	13	0	4	202	107
Stafford.....	2	39	25	6	10	8	0	7	3	5	10	0	1	101	30
Stanton.....	0	3	1	0	3	1	0	0	0	1	0	0	0	23	3
Stevens.....	1	1	10	0	0	1	0	4	0	1	4	0	2	40	16
Sumner.....	38	85	60	3	16	5	3	26	2	19	47	0	0	391	132
Thomas.....	0	19	14	0	2	0	1	0	0	4	13	0	1	129	57
Trego.....	0	18	19	0	0	2	1	0	0	1	5	0	3	88	26
Wabunsee.....	3	31	34	2	5	1	4	0	1	7	12	0	1	56	18
Wallace.....	13	3	5	2	3	0	0	0	0	2	2	0	1	76	55
Washington.....	7	19	43	1	6	1	0	0	0	7	24	0	1	116	58
Wichita.....	0	7	0	0	0	0	0	0	0	0	10	0	0	21	14
Wilson.....	18	49	40	0	12	13	9	61	8	15	20	0	0	163	70
Woodson.....	9	17	16	0	2	4	1	22	2	4	8	0	0	98	34
Wyandotte.....	26	222	214	6	117	54	13	189	59	79	119	0	1	2,058	680
Totals.....	835	4,183	4,366	185	999	860	362	2,065	526	1,143	2,110	13	210	26,763	9,204

PROBATE COURTS  
TABLE C-2. ESTATES OF DECEDENTS—YEAR ENDING JUNE 30, 1942

COUNTIES.	Number pending July 1, 1941.	Number filed since July 1, 1941.	Total number.	Wills.		Bonds.			Inventory or account during year.		Estate closed.		Estate pending July 1, 1942.	
				With.	Without.	Personal.	Surety.	None.	Number.	Percent of total.	Total number closed.	Closed within 15 months.	Total number pending.	Pending less than 1 year.
Allen.....	131	33	164	92	72	74	35	55	92	56	60	10	104	31
Anderson.....	68	46	114	55	59	77	7	30	84	74	38	8	76	44
Atchison.....	250	54	304	170	134	121	46	137	131	43	59	6	245	53
Barber.....	35	29	64	31	33	27	4	33	38	59	16	1	48	29
Barton.....	135	80	215	119	96	98	31	86	149	69	66	5	149	79
Bourbon.....	133	39	172	107	65	71	22	69	93	54	60	12	112	38
Brown.....	163	85	248	128	90	86	57	75	120	55	72	8	146	55
Butler.....	119	61	173	99	74	80	24	69	94	54	61	14	112	58
Chase.....	27	22	49	24	25	17	10	22	31	63	17	1	32	22
Chautauqua.....	36	31	67	27	40	23	25	19	41	61	20	4	47	31
Cherokee.....	65	56	121	61	60	46	22	53	109	90	48	9	73	55
Cheyenne.....	23	10	33	19	14	23	3	7	15	45	9	1	24	9
Clark.....	22	11	33	17	16	20	5	8	8	24	6	0	27	11
Clay.....	80	41	121	68	53	60	19	42	108	89	57	15	64	40
Cloud.....	124	53	177	106	71	89	34	54	103	58	63	7	114	47
Coffey.....	47	21	68	30	38	32	14	22	46	68	21	1	47	21
Comanche.....	11	13	24	17	7	9	4	11	12	50	4	0	20	13
Covey.....	150	73	223	117	106	120	31	72	152	68	85	13	138	68
Crawford.....	171	56	227	109	118	72	90	65	140	61	85	9	142	56
Decatur.....	68	34	102	43	59	65	15	22	54	53	24	7	78	34
Dickinson.....	116	85	201	118	83	93	43	65	177	88	86	11	115	83
Doniphan.....	87	36	123	60	63	58	24	41	100	81	52	5	71	36
Douglas.....	136	52	188	121	67	27	73	88	75	40	67	7	121	50
Edwards.....	58	22	80	47	33	38	16	26	59	74	36	2	44	22
Elk.....	49	15	64	32	32	35	2	27	52	81	34	6	30	14



TABLE C-2—CONTINUED. Estates of decedents—year ending June 30, 1942.

COUNTIES.	Number pending July 1, 1941.	Number filed since July 1, 1941.	Total number.	Wills.			Bonds.			Inventory or account during year.		Estates closed.				Estates pending Jul. 1, 1942.	
												Total number closed.	Closed within 15 months.		Total number pending.		
				With.	Without.	Personal.	Surety.	None.	Number.	Percent of total.	Number.	Percent.	Number.	Percent.	Number.	Percent.	
Ellis.....	73	48	59	7	55	66	55	41	3	7	80	32	40				
Ellsworth.....	43	40	39	12	32	61	73	36	5	14	47	27	57				
Finney.....	28	19	22	4	21	20	43	8	0	0	39	11	28				
Ford.....	67	80	80	23	44	55	37	35	2	6	112	23	21				
Franklin.....	95	107	106	34	62	140	69	73	12	16	129	72	56				
Geary.....	43	46	30	31	28	64	72	33	27	82	56	40	70				
Gove.....	31	14	14	6	11	22	71	12	2	2	19	10	53				
Graham.....	30	30	37	9	14	29	48	10	1	10	50	21	42				
Grant.....	7	5	5	6	5	5	42	5	1	20	7	0	0				
Gray.....	9	13	14	3	5	16	73	8	3	38	14	6	43				
Greeley.....	58	37	40	13	42	9	9	1	0	0	94	26	28				
Greenwood.....	53	52	45	22	38	85	81	49	8	16	56	33	59				
Hamilton.....	11	21	17	14	14	14	44	11	1	9	21	5	24				
Harper.....	56	59	77	8	30	85	74	49	8	16	66	40	61				
Harvey.....	108	74	63	47	72	135	74	61	9	15	121	63	52				
Haskell.....	6	13	15	4	0	12	63	7	0	0	12	5	42				
Hodgeman.....	8	7	6	1	8	7	47	5	1	20	10	6	60				
Jackson.....	77	63	55	36	49	97	69	58	11	19	82	34	41				
Jeanes.....	25	61	61	18	42	57	47	31	3	10	90	24	27				
Jefferson.....	60	61	61	20	20	58	59	23	2	9	76	32	42				
Jewell.....	39	40	58	21	20	58	59	23	2	9	76	32	42				
Johnson.....	104	72	33	22	121	118	67	62	13	21	114	65	57				
Kearny.....	9	17	19	2	5	9	35	4	0	0	22	5	23				
Kiama.....	31	31	11	23	40	52	70	27	5	19	47	20	43				
Kiowa.....	43	31	28	5	16	37	75	21	2	10	28	15	54				
Labette.....	18	86	72	51	65	107	57	59	2	3	129	55	43				
Lane.....	9	14	10	1	12	19	83	11	11	100	12	12	100				
Leavenworth.....	115	89	66	50	88	105	51	66	13	100	138	60	43				
Lincoln.....	50	74	70	21	33	87	70	43	0	0	81	37	46				
Linn.....	42	44	45	5	36	51	59	23	7	30	63	31	49				
Logan.....	10	20	7	2	21	21	70	25	23	92	5	5	100				

TABLE C-2—CONTINUED. Estates of decedents—year ending June 30, 1942.

COUNTIES.	Number pending July 1, 1941.	Number filed since July 1, 1941.	Total number.	Wills.			Bonds.			Inventory or account during year.		Estates closed.			Estates pending Jul. 1, 1942.	
				With.		Without.	Personal.	Surety.	None.	Number.	Percent of total.	Total number closed.	Closed within 15 months.		Total number pending.	Pending less. than 1 year
													Number.	Percent.		
Lyons.....	122	60	182	107	75		77	38	67	90	49	35	4	11	147	58
Marion.....	110	53	163	91	72		98	16	49	116	71	52	6	12	111	53
Marshall.....	141	71	212	131	81		85	28	99	132	62	62	13	21	150	46
McPherson.....	178	49	227	108	119		148	14	65	134	59	93	1	12	134	34
Meade.....	24	5	29	16	13		11	7		23	79	16	2	12	13	4
Miami.....	136	41	177	95	82		87	35	55	87	49	46	7	15	131	31
Mitchell.....	124	42	166	68	98		96	8	62	84	51	56	7	13	110	40
Montgomery.....	563	107	700	350	350		304	131	265	201	29	107	10	9	593	38
Morris.....	50	20	70	35	35		43	13	14	48	69	26	2	8	44	17
Morton.....	10	7	17	6	11		9	3	5	10	59	7	0	0	10	45
Nemaha.....	119	47	166	111	55		77	18	71	121	73	44	5	11	122	70
Neosho.....	88	69	157	72	85		59	54	44	130	83	67	10	15	90	38
Ness.....	49	9	58	21	37		36	9	13	29	50	31	5	24	62	69
Norton.....	18	20	38	15	23		25	5		27	71	11	8	73	37	24
Osage.....	84	32	116	70	46		27	43	46	90	78	43	5	12	73	9
Osborne.....	94	53	147	51	96		99	13	35	92	63	44	10	23	103	44
Ottawa.....	58	24	82	33	49		49	16	17	71	87	38	7	18	44	49
Pawnee.....	46	27	73	37	36		38	0	35	54	74	23	2	9	50	24
Phillips.....	102	19	121	45	76		93	2	26	44	36	26	2	8	50	55
Pottawatomie.....	97	58	155	93	62		96	8	51	98	63	43	3	7	112	54
Pratt.....	96	30	126	62	64		64	12	50	58	46	31	3	10	95	20
Rawlins.....	49	20	69	23	46		22	19	28	12	17	29	6	20	40	49
Reno.....	89	94	183	81	102		93	29	61	109	60	59	18	33	129	31
Republic.....	108	30	138	78	60		80	30	28	83	60	44	9	20	94	35
Rice.....	91	40	131	70	61		44	33	54	89	68	61	5	8	30	32
Riley.....	105	55	160	86	74		72	39	49	122	76	68	12	18	92	56
Rooks.....	90	30	120	52	68		81	5	34	70	58	36	3	8	84	59
Rush.....	81	21	102	51	51		71	1	30	34	38	15	3	7	29	35
Russell.....	103	37	140	70	70		90	6	44	63	43	23	1	8	87	21
Saline.....	135	80	215	112	103		114	33	68	153	72	87	10	11	128	32

TABLE C-2—CONCLUDED. Estates of decedents—year ending June 30, 1942.

COUNTIES.	Number pending July 1, 1941.	Number filed since July 1, 1941.	Total number.	Wills.			Bonds.			Inventory or account during year.		Estates closed.				Estates pending Jul. 1, 1942.	
				With.	Without.	Personal.	Surety.	None.	during year.		Total number closed.	Closed within 15 months.		Total number pending.	Pending less than 1 year.	Percent.	
									Number.	Percent of total.		Number.	Percent.				
Scott.....	5	7	12	3	9	11	0	1	9	75	1	0	0	11	7	64	
Sedgwick.....	532	275	807	443	364	345	141	321	433	54	254	30	12	553	262	47	
Seward.....	37	18	55	36	19	26	7	22	40	73	21	3	14	34	17	50	
Shawnee.....	397	162	559	309	250	81	271	207	312	56	165	14	8	394	156	40	
Sheridan.....	18	12	30	20	10	9	9	12	25	83	13	2	15	17	11	65	
Sherman.....	40	14	54	17	37	20	28	6	29	54	16	4	25	38	13	34	
Smith.....	82	32	114	38	76	83	9	22	74	65	41	2	5	73	32	44	
Stafford.....	45	39	84	41	43	38	13	33	51	61	25	3	12	59	38	34	
Stanton.....	7	3	10	2	8	7	1	2	3	30	1	0	0	9	3	33	
Stevens.....	14	1	15	6	9	4	4	7	11	73	10	1	10	5	0	0	
Sumner.....	150	85	235	130	105	77	39	119	137	58	60	1	2	175	85	49	
Thomas.....	30	19	49	20	29	24	14	11	38	78	14	0	0	35	19	54	
Trego.....	36	18	54	25	29	35	2	17	50	93	19	1	5	35	18	51	
Wabunsee.....	86	31	117	49	68	83	5	29	74	63	34	5	15	83	29	35	
Wallace.....	5	3	8	1	7	1	4	3	4	50	3	2	67	5	3	60	
Washington.....	74	20	94	62	32	51	14	29	49	52	43	11	26	51	16	31	
Wichita.....	5	7	12	6	6	5	2	5	7	58	0	0	0	12	7	58	
Wilson.....	103	49	152	69	83	81	20	51	73	48	40	5	13	112	45	40	
Woodson.....	32	17	49	28	21	26	6	17	38	78	16	5	31	33	15	45	
Wyandotte.....	707	222	929	442	487	538	166	225	147	16	214	41	19	715	209	29	
Totals.....	9 733	4 188	13,921	7 214	6 707	6 498	2 572	4 851	7 804	56	4 341	656	15	9 580	4,003	42	

PROBATE COURTS  
TABLE C-3. GUARDIANSHIPS AND TRUSTS—YEAR ENDING JUNE 30, 1942.

COUNTRIES.	Guardianships.							Trusts.					
	Number pending July 1, 1941.	Filed since July 1, 1941.	Total number.	Bonds.			Inventory or account during year.	Wards.		Closed during year.	Pend- ing July 1, 1942.	Number under super- vision.	Number of accounts during year.
				Personal.	Surety.	None.		Number.	Percent of total.				
Allen.....	56	9	65	38	27	0	35	54	46	19	6	59	1
Anderson.....	142	13	155	39	5	111	120	77	110	45	106	49	5
Atchison.....	76	16	92	46	28	18	33	36	42	50	5	87	4
Barber.....	5	3	8	3	3	2	3	38	6	2	0	8	2
Barton.....	168	16	184	157	24	3	61	33	148	36	16	168	3
Bourbon.....	74	6	80	59	19	2	27	34	55	25	5	75	4
Brown.....	80	6	86	62	28	5	35	37	51	44	13	82	11
Butler.....	102	16	118	105	11	2	35	30	80	38	5	113	6
Chase.....	11	0	11	9	2	0	6	55	8	3	0	11	3
Chautauqua.....	19	10	29	6	3	20	8	28	11	18	8	21	0
Cherokee.....	61	12	73	45	28	0	50	68	41	32	10	63	5
Cheyenne.....	9	3	12	12	0	0	4	33	10	2	0	12	0
Clark.....	18	4	22	18	4	0	4	18	14	8	1	21	0
Clay.....	85	12	97	73	15	9	56	58	54	43	11	86	9
Cloud.....	55	4	59	46	12	1	38	64	28	31	8	51	4
Coffey.....	80	3	83	43	29	11	28	34	57	26	5	78	0
Comanche.....	12	2	14	9	4	1	10	71	9	5	0	14	0
Cowley.....	103	15	118	92	23	3	56	47	75	43	9	109	6
Crawford.....	128	5	133	96	35	2	59	44	95	38	14	119	7
Decatur.....	43	4	47	45	2	0	6	13	32	15	2	45	0
Dickinson.....	141	18	159	114	40	5	115	72	94	65	25	134	17
Doniphan.....	79	8	87	84	3	0	17	20	50	37	82	5	4
Douglas.....	136	9	145	84	55	6	61	42	101	44	11	134	3
Edwards.....	40	6	46	34	11	1	22	48	34	12	5	41	2
Elk.....	29	0	29	24	4	1	12	41	23	6	8	21	0

TABLE C-3—CONTINUED. Guardianships and trusts—year ending June 30, 1942.

COUNTIES.	Guardianships.										Trusts.			
	Number pending July 1, 1941.	Filed since July 1, 1941.	Total number.	Bonds.			Inventory or account during year.		Wards.		Closed during year.	Pend- ing June 30, 1942.	Number under super- vision.	Number of accounts during year.
				Personal.	Surety.	None.	Number.	Percent of total.	Minors.	Insane or incom- petent.				
Ellis.....	116	7	123	96	6	21	12	10	101	22	8	115	3	1
Ellsworth.....	43	11	54	32	9	13	13	24	23	31	2	52	8	4
Finney.....	33	3	36	30	2	4	19	53	28	8	2	34	0	0
Ford.....	134	9	143	103	20	20	13	9	113	30	7	136	16	8
Franklin.....	83	12	95	85	10	0	29	31	64	31	12	83	0	0
Geary.....	42	11	53	33	17	3	21	40	41	12	6	47	0	0
Gove.....	9	1	10	9	1	0	3	30	9	1	1	9	0	1
Graham.....	6	3	9	5	4	0	6	67	4	5	2	7	2	0
Grant.....	9	1	10	10	0	0	2	20	7	3	10	0	0	0
Gray.....	9	0	9	7	1	1	7	78	4	5	2	7	0	0
Greeley.....	23	1	24	4	0	20	0	0	15	9	0	24	0	0
Greenwood.....	46	8	54	41	11	2	28	52	32	22	7	47	1	1
Hamilton.....	7	3	10	4	1	5	1	10	7	3	0	10	0	0
Harper.....	49	7	56	47	8	1	22	39	34	49	7	49	6	4
Harvey.....	68	11	79	54	23	2	44	56	40	39	10	69	0	0
Haskell.....	15	1	16	15	0	1	4	25	13	3	0	16	0	0
Hodgeman.....	2	4	6	6	0	0	5	83	5	1	0	6	0	0
Jackson.....	43	2	45	35	6	4	13	29	26	19	2	43	1	1
Jefferson.....	40	12	52	45	5	2	19	37	32	20	4	48	2	3
Jewell.....	64	5	69	56	9	4	7	10	30	39	62	7	3	3
Johnson.....	86	20	106	44	29	33	18	17	68	38	7	99	4	0
Kearny.....	8	0	8	4	1	3	0	0	5	3	1	7	1	1
Kingman.....	14	2	16	10	6	0	3	19	13	3	1	15	4	3
Kiowa.....	16	2	18	17	0	1	5	28	16	2	0	18	0	0
Labette.....	157	12	169	112	34	23	46	27	113	56	13	156	5	3
Lane.....	5	0	5	3	1	1	4	80	3	2	0	5	1	0
Leavenworth.....	91	13	104	67	37	0	37	36	63	41	8	96	6	3
Lincoln.....	65	4	69	55	10	4	19	28	47	22	6	63	0	0
Linn.....	32	15	47	30	0	17	9	19	16	31	6	41	1	1
Logan.....	0	1	1	0	0	1	0	0	0	1	1	0	0	0

TABLE C-3—CONTINUED. Guardianships and trusts—year ending June 30, 1942.

COUNTIES.	Guardianships.										Trusts.			
	Number pending July 1, 1941.	Filed since July 1, 1941.	Total number.	Bonds.			Inventory or account during year.		Wards.		Closed during year.	Pend- ing June 30, 1942.	Number under super- vision.	Number of accounts during year.
				Personal.	Surety.	None.	Number.	Percent of total.	Minors.	Insane or incom- petent.				
Lyon.....	70	17	87	70	13	4	19	22	49	38	0	87	2	0
Marion.....	101	7	108	100	8	0	47	44	72	36	9	99	4	2
Marshall.....	83	17	105	87	13	5	32	30	73	32	10	95	11	7
McPherson.....	158	15	173	151	21	1	32	18	118	55	11	162	3	0
Meade.....	2	2	4	4	0	0	1	25	4	0	0	4	0	0
Miami.....	120	10	130	103	5	22	19	15	100	30	3	127	5	2
Mitchell.....	40	16	56	37	6	13	25	45	35	21	5	51	0	0
Montgomery.....	420	24	444	343	80	21	75	17	320	124	20	424	8	2
Morris.....	57	3	60	52	8	0	36	60	40	20	11	49	2	1
Morton.....	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nemaha.....	80	15	95	73	22	0	53	56	56	39	7	88	9	8
Neosho.....	86	10	96	54	20	22	39	41	43	53	16	80	2	0
Ness.....	28	4	32	26	6	0	16	50	25	7	3	29	0	0
Norton.....	5	29	34	29	5	0	9	27	26	8	0	34	0	0
Osage.....	70	9	79	38	35	6	43	54	38	41	5	74	5	5
Osborne.....	54	2	56	41	5	10	12	21	35	21	2	54	0	0
Ottawa.....	46	9	55	46	4	5	28	51	30	25	4	51	1	0
Pawnee.....	24	7	31	25	2	4	7	23	28	3	0	31	0	0
Phillips.....	62	13	75	55	3	17	11	15	54	21	2	73	0	0
Pottawatomie.....	40	6	46	37	4	5	20	43	28	18	4	42	2	1
Pratt.....	86	5	91	90	0	1	16	18	65	26	4	87	0	0
Rawlins.....	33	4	37	6	17	14	14	38	27	10	9	28	1	1
Reno.....	37	18	55	33	20	2	26	47	34	21	10	45	1	4
Republic.....	78	5	83	65	17	1	32	39	54	29	8	75	8	3
Rice.....	43	24	67	43	12	12	19	28	49	18	5	62	3	3
Riley.....	123	10	133	103	25	5	52	39	86	47	8	125	6	3
Rooks.....	36	6	42	40	2	0	6	14	31	11	1	41	2	0
Rush.....	86	15	101	74	2	25	13	13	74	27	4	97	1	1
Russell.....	86	7	93	91	2	0	28	30	68	25	6	87	4	1
Saline.....	84	13	97	69	19	9	44	45	65	32	17	80	6	2



TABLE D-1. COUNTY COURTS, YEAR ENDING JUNE 30, 1942

COUNTIES.	Year court created.	Criminal cases.				Civil cases in justice of the peace jurisdiction.				Civil cases above justice of the peace jurisdiction.				Total cases.		
		Misdemeanors.		Preliminary examinations.	Appeals.	Number.	To jury.	Appeals.	Number.	To jury.	Appeals.	Number.	To jury.	Appeals.		
		Number.	To jury.													
Allen.....	1935	93	1	0	10	28	1	1	0	0	131	2	1	131	2	
Brown.....	1937	39	0	1	5	24	1	1	0	0	75	1	1	75	1	
Butler.....	1934	118	8	4	41	81	4	5	0	0	244	12	9	244	12	
Clark.....	1939	11	0	0	9	7	0	0	0	0	35	0	0	35	0	
Clay.....	1934	48	0	0	7	29	0	0	0	0	92	0	0	92	0	
Cloud.....	1930	84	1	1	6	23	0	0	0	0	113	1	1	113	1	
Coffey.....	1930	84	0	0	1	7	1	0	0	0	95	1	1	95	1	
Decatur.....	1937	21	0	0	5	11	0	0	0	0	37	0	0	37	0	
Dickinson.....	1938	43	0	1	7	30	0	0	0	0	86	0	0	86	0	
Doniphan.....	1937	30	4	3	10	12	0	1	1	1	61	4	4	61	5	
Edwards.....	1925	46	0	0	2	15	0	0	0	0	67	0	0	67	0	
Finney.....	1924	99	3	0	22	51	1	1	0	0	180	4	1	180	4	
Ford.....	1932	45	1	1	7	45	1	2	0	0	103	2	2	103	3	
Geary.....	1937	251	0	6	48	85	1	0	0	0	396	1	1	396	2	
Greenwood.....	1926	73	1	1	17	33	1	1	1	0	129	2	2	129	2	
Harvey.....	1940	23	1	0	15	14	0	0	1	0	54	1	1	54	1	
Hodgeman.....	1927	19	0	0	4	22	0	0	0	0	50	0	0	50	0	
Jewell.....	1940	37	0	0	7	22	0	0	0	0	71	0	0	71	0	
Kearny.....	1923	26	0	0	1	18	2	1	0	0	45	2	2	45	2	
Marion.....	1929	54	2	0	14	15	0	0	0	0	91	2	0	91	2	
Marshall.....	1929	90	0	0	11	53	1	1	0	0	160	2	1	160	2	
Mitchell.....	1923	96	1	4	8	28	1	1	0	0	124	2	2	124	3	
Morris.....	1925	36	0	0	8	3	0	0	0	0	55	0	0	55	0	
Ness.....	1941	9	0	0	0	4	0	0	0	0	13	0	0	13	0	
Osage.....	1929	88	1	1	10	20	0	1	1	1	125	1	1	125	2	



TABLE D-1.—CONCLUDED. County courts—year ending June 30, 1942.

COUNTIES.	Year court created.	Criminal cases.				Civil cases in justice of the peace jurisdiction.				Civil cases above justice of the peace jurisdiction.				Total cases.		
		Misdemeanors.			Preliminary examinations.	Civil cases in justice of the peace jurisdiction.			Civil cases above justice of the peace jurisdiction.			Total cases.				
		Number.	To jury.	Appeals.		Number.	To jury.	Appeals.	Number.	To jury.	Appeals.	Number.	To jury.	Appeals.		
Osborne.....	1924	16	1	1	2	16	0	0	0	3	0	0	37	1	1	
Pawnee.....	1927	0	0	0	0	24	0	0	0	0	0	0	24	0	0	
Phillips.....	1924	47	0	0	3	28	0	0	0	0	0	0	81	0	0	
Rawlins.....	1929	16	0	0	0	18	0	0	0	0	0	0	34	0	0	
Republic.....	1937	59	0	0	14	26	0	0	0	4	0	0	103	0	0	
Rice.....	1941	65	0	0	12	20	0	1	1	5	0	0	102	0	2	
Rush.....	1927	96	0	0	0	48	0	0	0	8	0	0	152	0	0	
Russell.....	1936	3	0	0	0	8	0	0	0	4	0	0	15	0	0	
Scott.....	1940	27	2	1	0	1	0	0	0	0	0	0	28	2	1	
Stafford.....	1939	35	1	0	5	40	0	0	0	4	0	0	84	1	0	
Stevens.....	1925	42	0	0	9	9	0	0	0	0	0	0	60	0	0	
Thomas.....	1928	44	0	0	4	10	0	0	0	2	0	0	60	0	0	
Trego.....	1925	25	0	0	5	5	0	0	0	4	0	0	39	0	0	
Wallace.....	1923	6	0	0	0	4	0	0	0	0	0	0	10	0	0	
Washington.....	1935	44	0	0	2	34	0	0	0	3	0	0	83	0	0	
Woodson.....	1934	33	0	0	3	17	0	0	0	5	0	0	58	0	0	
Totals.....		2,121	28	25	326	993	15	17	162	8	1	8	3,602	44	50	

## CORRESPONDENCE

During the fifteen years of its existence, the Judicial Council has encouraged correspondence from lawyers and judges and others who are interested in our work. It has been frequently said that the Judicial Council is or should be a clearing house for ideas for improving the administration of justice. In order to effectuate this purpose, it seems desirable to communicate to the bar of the state the opinions of those who have taken the trouble to write to us. To this end, we here publish extracts from some of the letters we have received.

We will be gratified if this should result in an increase in the correspondence addressed to the Council, upon any subject of interest within the scope of our work, and will consider that we have permission to quote from any letters received unless otherwise requested.

Of course the views expressed in these letters are those of the writers and do not necessarily represent the opinion of the Judicial Council or its members.

*From J. C. Ruppenthal, Russell:*

"With all the great improvement in jurisdiction and procedure of probate court under code of 1939, not a few of the bar and others still would rather have a sheriff's deed in partition than an administrator's or executor's deed out of probate court. Partition is now out of question until the probate court has closed the estate, under case from Thomas county under the 1939 code. However, various attorneys still venture to use partition in district court during pendency of probate proceedings, if there is any fractional interest in the real estate that does not derive from decedent."

*From Barton E. Griffith, Topeka:*

"G. S. 1941 Supp. 59-1206 provides that appraisers in estates shall be paid a sum of \$2 each per day for services performed, provided that the appraisers may be authorized by the court to employ expert and technical advisers to aid them and who shall be paid such compensation as the court shall deem reasonable. I think that this section is absolutely absurd, because none of us can ask any person to act as an appraiser for that nominal sum. In appraisals of real estate, certainly the appraisers should be allowed a minimum of \$5 per day. In the first instance, competent real estate men should be appointed as appraisers rather than ordinary individuals. Again, where an estate consists of certain technical assets, such as stocks and bonds, competent men in this field should be appointed in the first instance, and they should be compensated on the basis of their competence. Again, this would avoid the necessity of ordinary persons calling in experts to assist them. In the long run it would avoid duplication of effort and would simplify appraisal of the assets. It is our opinion that the first sentence of this section should be amended to read, 'Appraisers shall each be paid for services performed by them such sum as shall be allowed by the court.' The rest of the section should remain as it is.

"Section 59-1410, with reference to sale of real estate in an estate, provides that the real estate may be sold for the payment of reasonable funeral expenses, expenses of last sickness, wages of servants during the last sickness, cost of administration, taxes, debts, or legacies charged upon such real estate. There are many instances where it would be to the best interests of the estate and also of the devisees and legatees to sell real estate for other than these

purposes in order that the proceeds could be distributed and the annoyance and burden of owning fractional interests as tenants in common could be avoided. This is particularly true in those instances where a person dies intestate and there are a large number of heirs widely scattered. This would also avoid the burden of possible partition suits in the future, entailing considerable trouble and expense. This section should also be amended to authorize sale 'when the sale thereof is to the best interests of the estate and/or of the heirs, devisees or legatees.'"

*From O. P. May, Atchison:*

"Section 60-1511, G. S. 1935, should be amended so as to permit the court to allow alimony in installments covering an indefinite period of time, so as to permit the payment of installments until death or remarriage. It is contrary to common sense for a divorced woman to receive alimony payments out of the earnings of her former husband after she has remarried, or to permit her heirs to receive such payments after her death, yet the trial court is bound to make such installments payable for a definite fixed period of time under this statute as construed in such cases as *Catren v. Catren*, 136 Kan. 864; *Conway v. Conway*, 130 Kan. 848, and *Noonan v. Noonan*, 127 Kan. 287.

"The effect of these decisions is that the trial court will in fact take into consideration the possibility of remarriage or death and give a wife too little, where she does not in fact remarry or die. Of course, other cases develop where such payments are binding upon the former husband even after the widow remarries, which is contrary to all concepts of justice. Natural justice would be best administered if the court were permitted to fix alimony payments, based upon earnings, for an indefinite period of time, such as upon remarriage or death, as well as upon a fixed definite period."

*From Clarence V. Beck, Emporia:*

"One of the statutory problems is the exemption for the sale of speculative securities as provided in G. S. 17-1224, and particularly the last paragraph, being paragraph 12 thereof. This particular paragraph applies only to secondary sales.

"An application for exemption must be filed showing among other things:

- "1. The authority of the state of primary issue.
- "2. A prospectus.
- "3. Financial statement and operating statement not over six months old.
- "4. Statement of management personnel, and several other matters which are not difficult.

"The complaint about this statute is that with the rapid dissemination of information the market for secondary sales is dissipated before he can qualify for an exemption. It takes considerable time to obtain all the information required and by the time it has been accumulated, the particular security has increased in price to the point where it no longer is a bargain."

*From Judge E. E. Kite, St. Francis:*

"For several years we have been using successfully pretrial procedure in the seventeenth judicial district. When we first began to study pretrial procedure as used in Detroit and other places, it was strongly indicated that it could not be used except in a district where there were a number of judges. They

seemed to think that it was necessary for one judge to devote his entire time to pretrial procedure and then not engage in the actual trial of cases where he had participated as pretrial judge. We find that it works very successfully in a one-man judge district. There is no more difficulty having the trial judge sit down with the counsel on each side and go over the issues and eliminate unnecessary and immaterial facts and pleadings, than for the trial judge to hear a demurrer which searches the entire record and brings before him all the issues and pleadings and then afterward try the case on its merits before a court or jury."

*From A. O. Delaney, Jr., Troy:*

"The negotiable instrument act has, as all know, many provisions for the transfer of indebtedness, more particularly the indebtedness evidenced by writing. I do not find, however, that the negotiable instrument act provides or prescribes a method of transferring evidence of debt, particularly that in writing, which is exclusive. I believe the statute of fraud or the negotiable instrument act should be amended so that transfer of notes or other evidences of debt should be in writing to become effective as notes and other evidence which are passed from hand to hand, without written transfers or assignments, give rise to much perjury and fraud upon the courts.

"I should think, and do believe, that if the statute was amended to make transfers ineffective unless in writing that the profession and the people would be more assured as to their remedies and rights. This is merely a suggestion, of course, but I think a serious one as I have had some occasion in matters which have the foregoing as the subject."

*From Douglas Hudson, Fort Scott:*

"What about the Kansas law, and what can I suggest for its improvement? To my mind the most important practice which we can import at the present time is the adoption of the modern conception of deposition discovery.

"There are not many desirable improvements to our own code of civil procedure, but it would be helpful if the Kansas legislature enacted a statute similar to the federal act under which the federal code of civil procedure was adopted.

"There are three things which persuade Kansas lawyers to take their litigation, and particularly their personal injury cases, to Missouri—the three-fourths jury law, their lack of special questions, and their deposition practice.

"I am persuaded that the three-fourths jury law is inadvisable. It is unusual these days to find any one man who stubbornly holds out against eleven others. On the contrary, where human sympathy is great toward some injured plaintiff who may be a child of tender years, the added consideration in the jury room made necessary by a unanimous verdict frequently results in a better result toward the aim to which we are all striving—a fair and just verdict under the law and the evidence.

"Special questions are sometimes formulated so that the jury may seem to be confused, but our supreme court has repeatedly enforced the rule that every reasonable intendment is to be resolved in favor of the general verdict, so that my experience confirms my faith in the special verdict as a proper instrument in the function of the courts—the attainment of justice. If the jury

takes the money (if any there be) out of my pocket to give to the plaintiff the jury ought to be able to assign some sound reason for doing so.

"This brings me to the third consideration, the deposition practice. Plaintiffs, so far as possible, obscure their claims by generalities in their petitions. Defendants, likewise, plead their defenses, if they can, without revealing the facts upon which they rely. I have before me an answer filed to one of my petitions in which the attorney pleaded: ' . . . these defendants allege that if the plaintiff was injured at the time and place or in the manner described in said amended petition, . . . or at any other time or in any other manner, such alleged injuries to plaintiff were not caused by any fault, negligence or wrongful acts or omissions on the part of these defendants or any of their servants, agents or employees, but were wholly and proximately caused by the negligence of the plaintiff himself, and that the negligence of the plaintiff proximately contributed to his alleged injuries, if such were in fact sustained.'

"We went to trial on this answer because the time was too short to permit a motion to make definite and certain. If we have the deposition practice in Kansas, for all practical purposes it would suffice if the plaintiff should say 'he hit me and hurt me to my damage of \$5,000.' The federal courts under their present liberal deposition practice have indicated their disapproval of the most favorite motion in Kansas, the one to make more definite and certain.

"As we now practice, if depositions are sought, it is considered well-nigh unethical to ask what the other side contends as to the facts in the case. Counsel for years have complained about the depositions being taken as a 'fishing expedition,' and courts have frowned upon those of counsel who have made bold to try to find out what the other side is contending until the case comes actually to trial in court.

"If you are telling the truth, there should be no occasion for fencing against the revelation thereof, by objections that your adversary is asking for the truth in a 'fishing expedition,' or otherwise. If I were a member of the Kansas legislature I should seek to pass a law granting to our supreme court the right (which it already possesses, but which thereafter would be exercised free of cavil) to prescribe rules of civil procedure. The first rule I should enunciate if I were a member of the court would be a rule to permit the deposition of the adverse party and all representatives of any corporate party and anybody else who might seem to possess information about the matter in controversy.

"With such a rule I should prefer to litigate matters for my clients, even though personal injury plaintiffs, in Kansas; and if I were unable to survive the unanimous verdict of twelve men and cause them to assign a reasonable excuse for their verdict under the present special question practice of our state, it would be my conclusion that I did not deserve to win and, therefore, must perforce perform that disagreeable duty of explaining the result to a disgruntled client."

*From C. C. Wilson, Meade:*

"Some woe-be-gone, god-forsaken person will depart this life (might be some other sort of person), leaving, say a town lot worth \$50, no other property, been dead several years, of course no administration. Some person adjoining wants to get title, and we go in under 1941 Supp. 59-225, and determine descent, and I believe that practice as set up in the code is good. But with

the record showing the deceased left three sons, this was all of the property, why have to go to Topeka to get an adjudication of inheritance taxes? And for that matter, when administering a very small estate and it is apparent to everyone that there could not possibly be any taxes due, why have to go through that same procedure? We do not do that in connection with Federal inheritance taxes unless it is apparent that there might be some tax due. The way we now handle is considerable trouble to the attorney for the estate, the probate court and certainly is a lot of work for the Commission, for which they do not make a charge. Why would not it be safe to provide that the probate court could determine whether or not a report should be made to the Commission when it is perfectly apparent that no tax could possibly be due? Maybe I am going off half cocked on this matter, but think about it."

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