

### Davis to Retire From High Court

HELENA, Jan. 19. — Supreme Court Associate Justice Horace S. Davis will retire at the end of his present term and will not be a candidate for re-election, it was learned Thursday.

Davis said he "definitely will not" be a candidate for the post he had filled since the death in December 1954 of Harry J. Freebourn of Butte.

The 63-year-old jurist said he was finished with public office. Davis, former Sweet Grass county attorney, plans to move with his wife to Billings and, Mrs. Davis said "to our cabin in the Absaroka Mountains."

So far, two candidates have announced their intentions to try for the two positions vacated by the expiration of Davis' short term and the term of Associate Justice Albert Angstman.

The latest to announce is Edwin Booth, Helena attorney and former counsel for the Railroad and Public Service Commission. He announced his candidacy to the non-partisan post Wednesday night.

The first to file for the nomination in the June primary was James D. Freebourn, son of the late associated justice who filed last week saying he was "following in my father's footsteps."

Under a 1955 session law, the newly elected justices will receive \$11,000 annually.

Davis was appointed to the high bench Dec. 21, 1954 by Gov. J. Hugo Aronson. He was sworn in Jan. 7.

He stopped active practice of law about three years ago after an association since 1926 with Rockwood Brown in Billings.

Born Oct. 22, 1892 at Worcester, Mass., he attended schools in that state and came to Montana in 1910, when his father was a salesman for the Lawrence Saddle Co., with headquarters in Billings.

He attended Montana State College and Montana State University and then the University of Chicago where he received his LL.B. degree in 1915 and his Doctor of Jurisprudence degree in 1916.

He served overseas during World War I and moved back to Big Timber to practice law in 1919.

He was elected Sweet Grass county attorney during the 1920's.

Davis married in December 1917 and has one son and a foster daughter.

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