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Long Beach Passes Resolutions

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IN RE-SELECTION OF JUDICIAL OFFICERS

"The present critical re-examination of the modes of selection of judicial officers has brought to light an interesting conclusion reached many years ago by a committee of eminent public men. We quote from an article appearing in the St. Louis Post-Dispatch of November 25th, 1936, which was written by Israel Treiman, Associate Professor of Law, Washington University:

"The argument, that elected Judges are more likely to heed the popular will and less apt to take a reactionary attitude, was convincingly answered more than 20 years ago, when a special commission under the sponsorship of the National Economic League and consisting of Charles W. Eliot, Moorfield Storey, Roscoe Pound, A. J. Rodenbeck and Louis D. Brandeis, submitted the following opinion on the subject, after a thorough survey of judicial decisions in American Courts:

"The constructive work in American law was done by appointed judges, while most of the technicality of procedure, mechanical jurisprudence and narrow adherence to eighteenth-century absolute ideas, of which the public now complains, is the work of elected judges. The illiberal decisions of the last quarter of the nineteenth century, to which objections is made today, were almost wholly the work of elected Judges with short tenure. Moreover, where today we have appointed Judges these courts in conservative communities have been liberal in questions of constitutional law, where the elective Judges, holding for short terms, have been strict and reactionary'."—Oklahoma State Bar Journal.

LONG BEACH PASSES RESOLUTIONS

Appreciation of the services of Oscar J. Seiler for the betterment of the legal profession in his three years on the Board of Governors of the State Bar was spread on the records of the Long Beach Bar Association in a resolution introduced by Roscoe S. Wilkey at the Association's October meeting at Lakewood. The same resolution promised its support to Newton M. Todd, who succeeds Seiler on the board.

It being Past President's night there were three members given special honor: Seiler, Todd and Leslie Still, who has been made a judge of the Superior Court.

The resolution for Seiler and Todd expressed appreciation for the valuable services they had performed for the organization within the state of California. Of Seiler the resolution said, "The legal profession will always be indebted to this splendid man. . . ."

Past presidents who spoke briefly at the meeting were: George A. Hart, Roland G. Swaffield, Walter Desmond, Stephen H. Underwood, Roscoe S. Wilkey and Clyde Doyle. The committee in charge of the establishment of a juvenile court in Long Beach was given a vote of thanks for their work.

Mr. Seiler was Secretary of our Association when he practiced law at Jamestown.

WHAT DO YOU THINK ABOUT THIS?

The Chairman of Realtor Section of the Ohio State Bar Association on the Unauthorized Practice of Law held October 24th, 1936, at the Deshler-Wallick Hotel in Columbus, submits the following as forceful evidence of the fallacy in the theory that there is no harm in permitting simple instruments to be drawn by experienced laymen:

"Elements of Practicing Law in Drawing a Simple Deed"

"1. Determining the class or form of deed; whether it should be a quit claim or warranty deed.

"2. If a warranty deed, determining whether it should be a general warranty deed or one of limited warranties.

"3. Preparation of description of the property that contains elements required by law of a *valid* description, or checking a description which is submitted to determine whether same contains all the elements required by law of a valid description.

"4. Determining whether existing mortgages and/or taxes and assessments, and/or other liens or encumbrances shall be assumed by the grantee, and if so, the preparation of an assumption agreement that complies with legal requirements.

"5. Determining who are the proper and necessary parties to sign the deed.

"6. Seeing that the signature, execution and acknowledgement are made in the manner prescribed by law.

"7. If any of the grantors sign in another state, determining whether the signature, execution and acknowledgement are made in conformity with legal requirements.

"8. If the grantor is a corporation, determining that the officers or persons who signed in behalf of the corporation have the legal authority to sign."

An Appeal to All of the Members of the
North Dakota Bar Association.

USELESS, OBSOLETE AND DUPLICATED LAWS

I am wondering whether it is presuming too much to "hope" that arrangements will be made for a recodification or revision of our Code at the next Legislative Session. If that is to be accomplished, the members of this Association can render a very valuable service to the Association and to the State by suggesting present statutes which, because of being useless, obsolete or duplications of other statutes, ought to be repealed.