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District Meetings

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DISTRICT MEETINGS

Word is coming in that district meetings are now being planned for nearly every district association. It is hoped, of course, that plans for these meetings will include discussion of the questions that are most likely to arise at the annual meeting of the State Bar Association in Bismarck.

We present, herewith, such recommendations as have been made:

Constitution and By-Laws

The report of this Committee (Arnold C. Forbes, Clyde Duffy, Ivan V. Metzger) presents no recommendations.

Comparative Law

This Committee (Herbert G. Nilles, E. J. Taylor, W. L. Nuessle) presented a very comprehensive report. At the request of the Committee Chairman we withhold it from publication at this time. We take the liberty, however, of quoting the final paragraph:

"The purpose of this report is not to urge upon the Association the adoption of any particular type or plan of legislation, but simply to advise the Association of what has been done and what is being done in other states on this interesting subject (automobile accident insurance). This report is not offered or submitted for the purpose of inducing any argument upon the merits or lack of merit of any particular plan. Your committee feels as lawyers we should keep abreast with the times and be informed of the thoughts of others on this matter, and it is in that spirit that this report is filed."

Criminal Law and Procedure

No report has been received from this Committee (H. C. DePuy, Iver Acker, Aloys Wartner), but there is up for consideration the prior report of the Committee, James Morris Chairman. An Act was prepared and submitted at the last two meetings. It was presented in printed form to every member of the Association, and an extra copy of the issue of Bar Briefs (December, 1933) has been placed in the hands of the President of each district organization. The material will be found on page 16 of that issue.

Ethics and Internal Affairs

The report of this Committee (Lynn U. Stambaugh, M. W. Murphy, F. J. Traynor) presents no recommendations for consideration.

Fee Schedule

This Committee (Hugo P. Remington, A. M. Kuhfeldt, F. J. Graham) makes the following recommendations:

1. That the \$1.00 filing fee be retained, and that attorneys require it;
2. That the Association's printed notices show a "minimum fee" of \$5.00 but not to exceed one-half of the amount collected;
3. That the schedule be more universally followed by all attorneys, and that the appeal to do so be made by the Association;
4. That something be done with respect to the unfair fees paid for the examination of titles for the Federal Land Bank and the Home Owners Loan Corporation, and "that it is the feeling of the committee that, instead of being singled out as victims of a recovery program, the theory of which, in part at least, is a general raising of prices and wages, the attorneys of the country are entitled to share in the fruits of such program just as much as are truck drivers, textile workers and waitresses;"
5. That an appropriate resolution be adopted dealing with the 4th point, same to be sent to the bar associations of other states, the American Bar Association, and the proper authorities (unnamed) at Washington.

Local Organizations

The report of this Committee (John Knauf, J. J. Kehoe, Max Wishek) presents no recommendations.

Press and Public Information

This Committee (W. H. Hutchinson, Chas. M. Pollock, Gordon V. Cox) makes the following recommendations:

1. That this committee be enlarged so as to include one member from each district association. It could be the particular duty of each member to report the activities of his own district association.

2. That this committee be charged with the responsibility of seeing that the state press receive a complete report of the activities and recommendations of the State Bar meeting.

3. That this committee provide for a short series of radio talks, each being fifteen minutes long and covering such topics as the following: Aims and objects of bar associations; Illegal practice of law; Canons of professional ethics; Canons of judicial ethics; Why courts should prescribe their own rules of procedure; The judicial branch of government, its duties and limitations.

4. That this committee co-operate with the citizenship committee in each county, so that lawyers, generally, would assist in at least one public patriotic program during the year.

5. Where High Schools give vocational guidance courses to seniors that this committee furnish speakers for the purpose of presenting the legal profession.

Uniform Laws

This Committee (L. J. Palda, A. P. Paulson, C. H. Starke) filed no report.

NORTH DAKOTA DECISIONS

Kamrowski vs. Compensation Bureau: Plaintiff was an employee of a state institution for more than twenty years, his trade being butcher. In September, 1931, plaintiff noticed that his eye was inflamed. A year before inflammation was treated, and a scar (ulcer) formed. At the time of the second inflammation, the plaintiff, not knowing the cause thereof, made no statement to the doctor concerning injury, and the attending physician did not know the cause of the condition. The cause of the ulcer was, in the opinion of the physician, traumatic, but the second breakdown might have resulted without a new injury. While disclaiming to know the cause of the second injury, if any, plaintiff testified that bristles, from scraping hogs, had frequently flown into his face, and once or twice into the eye, resulting in bleeding, but that none had ever lodged in the eye, and that the particular incident which directed his attention to his occupation occurred several months after the second inflammation was noticed. HELD: "The theory of the bristle would be a plausible one . . . if it were shown that the initial injury to the eye occurred in the course of employment. . . But where fine sand or a cinder or a piece of glass or any other sharp substance striking the eye would cause the condition there is as much right to speculation as to this cause as to any other. . . As stated in *Dehn vs. Kitchen*, 54 N. D. 199, compensation cannot be made when one 'must necessarily deal entirely in the field of speculation' as to the cause. . . While, frequently, the cause of an injury may be left to deduction and inference from facts proved, it is incumbent upon the claimant to show that, whatever may be the theory advanced as to the cause of the injury, the injury itself occurred in the course of the employment."