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Can Such Things Be

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regulation of the business of insurance and interferes directly with the right of insurers to control the conduct of their internal affairs; it restricts the right of both company and agent to make reasonable private agreements in respect of compensation for ordinary services; and the restrictions have no immediate or necessary relation to the maintenance of insurance rates fair to the public."—*O'Gorman vs. Hartford Co.*, 51 *Sup. Ct. Rep.* 130.

CAN SUCH THINGS BE?

We reprint the following editorial from the American Bar Association Journal because we have known for a long time that lawyers were on the "sucker lists" of various concerns throughout the country; we've known it, because we were, apparently, listed as one of the "suckers":

"The lawyer when acting for a client examines every business proposition with especial care. He is particularly alive to suggestions of fraud. He does not pay much attention to the unsupported statements of strangers. He is from Missouri. Thus he waxes fat in practice and in public confidence and his clients rise up and call him blessed.

"The picture perhaps is not overdrawn with reference to the great majority of lawyers. But there are evidences not a few that when dealing with matters of mere personal concern the description does not fit. The complaints that are privately heard from time to time from lawyers who have been induced by smooth agents to subscribe to some fly-by-night 'law list', without the slightest assurance that it is even regarded as a reputable concern in its class, give evidence that undue credulity still flourishes in unsuspected quarters where the lawyer's sense of the guardianship of clients' interests is not summoned to his aid. The word 'sucker' has a most unpleasant and undignified sound, and, so far as we know, has not yet received a final and definite judicial construction. Hence, we do not use it in this connection, although the temptation to do so is naturally very strong.

"We are not speaking of those well known and long established legal directories, which perform a different function and serve a real need, but it is estimated that there are from 125 to 150 of these 'law lists' being operated in the country, of which quite a number are pure and unadulterated frauds. They flourish because the lawyer is taken in by the representations of the solicitor, which he apparently accepts at face value, without investigation, and does not take the trouble to look into the proposition until he has parted with his money and finds he has gotten nothing in return. Sometimes the solicitor bolsters his sales talk with a recommendation on a reproduction of a letterhead of some well known law firm, and the victim takes that—also without investigation as to whether the recommendation is genuine and the use of the letterhead authorized—as 'confirmation strong as proof of Holy Writ.'

"Here are the words of one who has recently looked into 'the ways that are dark and the tricks that are vain' of some of these fly-by-night law lists: 'A lawyer who would not buy a dime's worth of corporate stock without careful investigation will give up two hundred and fifty or three hundred or five hundred dollars to a man he never saw before on the strength of a lot of glib statements of what he will

be able to do for him if he but subscribes. . . There is no way to protect that man against himself that we know of except to endeavor to educate him.'

"This gullibility in quarters that should above all be immune from such weakness is one of the most astonishing things in the age in which we live. Shakespeare's words come naturally to mind:

"Can such things be
And overcome us like a summer's cloud
Without our special wonder'?"

Yes, such things can be, say we, and not only with respect to 'law lists.'

NATION'S NEED FOR THE LAWYER

We again direct attention to the need of the nation for the lawyer. In the annual survey of the National Economic League for the most important problem before the nation, you will again find that eight of the subjects that received the most votes relate to matters in which the lawyer should be best qualified to speak. We say "should be" because they are subjects with which he is concerned daily. Proper foundational training, proper legal training, and proper current contact with community problems is absolutely essential. The nation looks and must continue to look to the lawyer, notwithstanding a lot of "piffle" about not wanting "my boy to be a lawyer."

The vote of the Economic League membership on the ten leaders was as follows:

Prohibition	1,871
Administration of Justice	1,750
Lawlessness	1,514
Unemployment, Economic Stabilization	1,434
Law Enforcement	1,398
Crime	1,314
World Court	1,106
Taxation	966
World Peace	879
Efficient Democratic Government	708

THE LAW—PROFESSION OR BUSINESS?

Having just read the majority and dissenting opinions of the Supreme Court of Illinois in *People vs. Chicago Bar Association*, we heartily concur in the statement of the Chicago Bar Association, to-wit: "The Bar is shocked by the retrogression of the majority opinion from the high standards to which the Court heretofore has given its whole-hearted support for the advancement of the profession in Illinois. It is nevertheless the confident hope of the Bar that the clear, vigorous dissenting opinion in the *McCallum* case (341 Ill. 578) will ultimately be accepted by the Court as the correct application of the principles of professional ethics to such facts as were disclosed in this case. Otherwise, the door will be open to practices which are utterly subversive of professional honor and dignity." And we add:

If the dividing line between legitimate advertising and solicitation of business is really as narrow as the majority opinion in the *McCallum*