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Industrial Peace

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being caused solely from disease although occurring during employment.—*Singlaub vs. Industrial Accident Commission*, 262 Pac. 411. (Cal.).

UNIFORM STATE LAWS

Chairman Paul Campbell, of the Committee on Uniform State Laws, presents the following from the address of Hon. Geo. B. Young, President of the National Conference of Commissioners on Uniform State Laws:

"The Bar must be educated to see the need for uniform state laws. Today many lawyers of standing and with a large local practice see no advantage in uniform laws and they prefer the law that they know to one they do not know. Seeing no advantage in the change they oppose the change and do not favor the proposed uniform law. Very frequently they have not read it and know little or nothing about it and therefore oppose it. More publicity of the educational kind is needed.

"The movement for uniform state laws should succeed. It is the only way apparent to provide the uniform law that the people demand other than through the Federal Congress. It is the most efficient way to preserve the powers of the states and keep the activities of Congress within constitutional limits. The preservation of our present scheme of constitutional government is dependent upon the active, efficient and effective discharge by the states of their constitutional duties as to local self-government. Changing conditions make many matters that formerly were purely local now of concern to citizens of many states. Enlarged means of communication and constantly extending fields of business bring citizens of our various states into closer social and business relations than were the citizens of different parts of one of our states a hundred years ago. This demands that the laws governing these relations be the same over a much greater territory but the subjects of such laws are still in state jurisdiction and not in federal jurisdiction. The Federal Government is now overburdened with government detail almost to the breaking point. This demand for uniform laws governing various relations must be met by uniform state laws or it will of necessity be supplied by Congress. We are the established agency for furnishing the states the means and showing them the manner to supply the demand. If we fulfill our mission we shall accomplish a great good for the country. Can we and will we do it? We can if we will."

INDUSTRIAL PEACE

The American Bar Association Committee on Commerce, working through its sub-committee on Federal Legislation, has just recently completed the taking of testimony by specialists in labor controversies and industrial relations, and now presents the following declaration of policy:

"To promote good will between those investing capital, those participating in management and those who render service in industry, and to facilitate the moving of commerce without wasteful interruption of industry, it is hereby declared to be the policy of the United States in the field of interstate and/or foreign commerce (and in so far as it may lawfully do so in the field of intrastate commerce) to promote the peaceful adjustment and prevention of industrial controversy by encouraging the making and maintenance inviolate by responsible or-

tion for order vacating judgment and for judgment notwithstanding the verdict or for a new trial. Motion was denied and defendant took no appeal, but later an appeal was taken to Supreme Court, no specifications of error being served with notice of appeal. HELD: Affirmed. On an appeal for judgment entered on a verdict of a jury where no specifications of error are served with the notice of appeal, only errors appearing on the judgment roll will be considered. No motion having been made for a directed verdict by the defendant at the close of the trial and no appeal taken from the order denying his motion for a new trial, Supreme Court will not review the sufficiency of the evidence to sustain the verdict.

Holvick vs. Black, et al: Owner of real estate gave a mortgage to State Bank to secure payment of two notes. Bank sold notes to plaintiff and executed assignment of mortgage, which was not recorded. Owner of land later sold it under an agreement to deed it free of all encumbrances and authorized the vendee, defendant in this action, to pay the amount due to the bank. Defendant vendee paid the amount to the bank through a third party who was not the holder of the mortgage or of the notes and had neither in his possession for collection. The money was deposited in the bank and remained there until it closed. The State Bank as mortgagee of record executed satisfaction of the mortgage and recorded it but plaintiff as assignee of mortgage knew nothing about it. Later Defendant Federal Land Bank made a loan to the new owner of real estate in reliance on the record which showed release of said mortgage. Plaintiff sued to foreclose his mortgage and the issues involve question of priority of plaintiff's claim over subsequent deeds and mortgage. HELD: Defendant Federal Land Bank's claim is superior to claim of plaintiff because plaintiff as owner of unrecorded assignment of the mortgage did not have his assignment recorded and defendant bank relied on the record. Plaintiff's claim is superior to rights of remaining defendants because vendee who pays on real estate to a third party without receiving notes evidencing the debt does so at his peril, and a release of mortgage executed by mortgagee of record is not good against claim of holder of said mortgage under a prior assignment from mortgagee, even though assignment is not on record.

EXECUTIVE COMMITTEE ACTION

The first meeting of the Executive Committee was called for the 9th of October at Minot by President Lewis. The following were present: President Lewis, Vice President Bagley, Secretary Wenzel, Geo. M. McKenna, Thos. G. Johnson, P. W. Lanier and G. S. Wool-edge. Aubrey Lawrence and F. T. Cuthbert were unavoidably absent.

Committee appointments for the year were considered and approved. The Secretary's proposal to advocate, through Bar Briefs, the adoption of some plan of action by the Bar of the State looking to the presentation of groups of names for judicial timber, was informally considered, and passed without action.

On account of the slightly more unfavorable financial situation, the Secretary was instructed to omit from the published proceedings this year the Constitution and By-Laws and the two Codes of Ethics.

Valley City was chosen as the place for holding the 1929 meeting, and the tentative dates fixed for the first week in September. It was