



1926

Uniform State Laws

North Dakota Law Review

Follow this and additional works at: <https://commons.und.edu/ndlr>

Recommended Citation

North Dakota Law Review (1926) "Uniform State Laws," *North Dakota Law Review*. Vol. 3 : No. 11 , Article 9.

Available at: <https://commons.und.edu/ndlr/vol3/iss11/9>

This Note is brought to you for free and open access by the School of Law at UND Scholarly Commons. It has been accepted for inclusion in North Dakota Law Review by an authorized editor of UND Scholarly Commons. For more information, please contact und.common@library.und.edu.

recall, for example, that he pointed out "how fundamental common-law ideas are subject to corrosion and destruction", referring, in that connection, to compensation awards made, as he said, "not on the principle of causation but of distribution of the economic surplus"; and then followed this with the rather frank statement, "when we come to study current adjudication we may perceive the same corroding process."

There is, we believe, a fair foundation for asking ourselves, right here in North Dakota, if the principle referred to by Dean Pound is not being invoked? It is certainly being pressed by some as an argument, and should it establish itself through current adjudication, administrative officials would be bound to follow, no matter how many "fundamental common-law ideas" might be "corroded" or "destroyed" thereby.

It might not be amiss to suggest that the "huge sum" in the Workmen's Compensation Fund of North Dakota is considerably tied up in such liabilities as: awards entered but payable in future, premiums received but not earned, injuries already sustained but unreported as claims, reserves provided by statute, reserves to handle possible catastrophes, etc. At any rate, the amount that might be distributed regardless of the "principle of causation" is not to be found in the Fund.

UNIFORM STATE LAWS

The main recommendation of Chairman Paul Campbell of the Committee on Uniform State Laws should be given thorough consideration this coming year. That recommendation is the one suggesting legislative authority for the appointment of a Commissioner on Uniform State Laws, with provision for expenses.

It is, undoubtedly, quite well understood that the criticism that have been leveled at the uniform acts which have been proposed for enactment by our own Legislature have centered, very largely, around the theme of conflict, lack of co-ordination and failure to fit into our own system. It should also be quite apparent that the basis of these criticisms may, in large measure, be eliminated.

If this were not a continuing work it might be justifiable to require the necessary sacrifice of talent, time and "tin" on the part of an individual or a group to complete the task. As it is a continuing work, however, the sacrifice should not be expected or requested.

It is hoped, therefore, that the complete report of this committee will be studied in order that Association opinion may be crystallized to the point of formulating and offering a proper plan to make the work of this committee the effective part of North Dakota's program demanded by its importance.

In the meantime, also, the viewpoint expressed in the statement of Judge Bronson at the annual meeting, namely, to take the broad stand of furthering the work of the Commissioners on Uniform State Laws, regardless of the action of our Legislature concerning it, should not be disregarded.