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Reports And Recommendations Of Committees

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- 3:15 Music
 3:30 The Denver Meeting of the American Bar Association
 Hon. C. A. Pollock
 Election of Officers
 Miscellaneous Business
 Adjournment

FRIDAY EVENING

7:00 Annual Banquet for Members and Ladies and Guests

Following the afternoon session of each day diversions will be afforded members, their wives and guests, through the courtesy of the Burleigh County Bar Association.

SPEAKERS AT THE ANNUAL MEETING

Judge Harry Olson, who has been chief justice of the Municipal Court of Chicago since 1906, was born in Cook County, Illinois, studied in Washburn College, Kansas, and graduated from the Union College of Law at Chicago. Prior to his election to the Municipal Court, he served for ten years as assistant state's attorney of Cook County. He has long been a student of Criminal Law and Criminology, and in recent years particularly has been interested in the examination of criminals with a view to eliminating their criminal tendencies by suitable treatment.

Chancellor Melvin A. Brannon of the University of Montana, was born in Indiana, is a graduate of Wabash College, and took his doctor's degree at the University of Chicago. He was professor of Biology in the University of North Dakota from 1894 to 1914, was president of the University of Idaho from 1914 to 1917, president of Beloit College from 1917 to 1923, and since 1923 has served as Chancellor of the University of Montana with offices at the state capitol at Helena. Under his administration Montana is trying the experiment of having this one executive head for a considerable group of its educational institutions which for the purposes of administration are denominated the State University. Chancellor Brannon has been active in a large number of civic and scientific organizations.

Gov. Theo. Christianson of Minnesota, prior to his election as governor, was engaged in the practice of law at Dawson, Minnesota, and was prominent there also as editor of the Dawson Sentinel. As a member of the house of representatives in Minnesota for a number of terms he has an enviable legislative record and has proved himself a most efficient executive.

REPORTS AND RECOMMENDATIONS OF COMMITTEES

Local Organization

Chairman Cuthbert has been seriously ill in the hospital, hence no report was obtainable at this time from this Committee.

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Bench and Bar Ethics

This Committee reports that it will present a report very similar to the one discussed last year, and printed in the 1925 annual proceedings.

Terms of Judges

The Committee, after reviewing laws of various other states, concludes that a six-year term, though prevailing in many states, is not long enough. It believes efficiency will be increased with continuity of service, and favors a ten-year term, preferably by appointment.

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Judicial Council

This committee reports study of the proposals made at the last meeting by various groups, urges further consideration of these proposals (including the proposed bill as published in the 1925 Proceedings) between now and the date of the 1926 meeting and some final disposition of the matter at that time.

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Salaries of Judges

A review of the actions of other states, increasing the salaries of judges in those states in recent years, takes up the greater part of this committee's report, which it follows this with the rather modest recommendation that bills be prepared and offered to the legislature increasing the salaries of supreme court judges to \$6,500.00 and of district judges to \$5,000.00 per year.

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Legal Education and Admission

The Chairman of this committee advises that no definite recommendations for legislation to raise the standard of education for admission to the bar can be agreed upon, and recommends that unless practically unanimous agreement can be reached by the annual meeting no effort be made to change the present situation at the coming session of the legislature. The American Bar Association standards are: 1. Two years of college before admission to law school; 2. Continuous law course of three years, part time courses to total three years; 3. Adequate library facilities for the law school; 4. Full-time instructors; 5. Public examination in addition to degree.

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Press and Public Information

This, a new committee, reports very satisfactory co-operation of the N. D. Press Association, and makes the following recommendations: 1. That a member of the Association be appointed in each county to co-operate with the Press; 2. That the services of such representative be made available to all newspapers of his county, without charge; 3. That correct information, in the way of news articles be supplied to the Press from time to time; 4. That the Press decline to publish news articles concerning litigation, prepared or inspired by a party to the controversy or the attorney; 5. That all attorneys keep the general committee informed concerning inaccurate statement or statements violating the principles enunciated; and 6. That such special committee be continued from year to year.

Uniform Laws

The commissioner on uniform state laws recommended to the American Bar Association the following uniform acts, and the action of the committee was approved by the association:

The uniform federal tax lien registration act

Uniform chattel mortgage act

Uniform act to regulate the sale and possession of fire arms

Uniform act for the extradition of persons charged with crime

A uniform motor vehicle code which consists of the following four uniform acts:

Motor vehicle registration act

Motor vehicle anti-theft act

Motor vehicle operators and chauffeurs license act

Act regulating the operation of vehicles on highways.

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Constitution and By-Laws

This Committee recommends the printing in each annual report of the Constitution and By-Laws and the Code of Ethics.

It offers the following amendment to Article 3 of the By-Laws:

"Article 3. The Executive Committee shall have full power and authority, in the interval between meetings of the Association, to do all acts and perform all functions which the Association itself might do or perform, except that it shall have no power to amend the Constitution or By-Laws."

With respect to the recommendations to the Supreme Court for appointment of members to the Bar Board, it is suggested that Article 9 be amended to give the President power to call a referendum, without petition, in case of a vacancy on the Board, and that other recommendations be disposed of at the annual meeting immediately preceding the expiration of the term of a member of the Board.

The term of one of the members will expire January 1st, 1927.

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Citizenship and Americanization

The report of the committee is quite general, but the following specific highlights appear: The work of the committee reached into nearly every school in 29 out of the 53 counties; it worked in co-operation with the American Legion, Federation of Women's Clubs, Department of Education and other organizations as before; special mention is made of the work of the following members of the Bar: John G. Pfeffer of Fargo, T. L. Brouillard of Ellendale, Geo. P. Homnes of Crosby, and A. G. Porter of Edgeley. The following recommendations are made: 1. Acceptance and approval of the report; 2. Continuance as object of Bar Association program of the movement for improvement of citizenship; 3. Continuance of the plan of the Correlated Patriotic Workers Association; 4. Urging lawyers to recognize the opportunity for such work and accept the duty; 5. Liberality in appropriation of funds for

the purpose; 6. Offering of suitable prizes for essay contests on Constitution in high and grade schools.

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Revision of Federal Practice

In addition to the summary reported in the April number of Bar Briefs this committee reports the Senate Bill (passed) and the House Bill (for consideration in December) with the following changes in judicial salaries:

	Senate	House
Circuit Judges	\$15,000.00	\$12,500.00
District Judges	12,000.00	10,000.00
Chief Justice, Court of Claims	15,500.00	12,500.00
Other Judges, Court of Claims	15,000.00	12,500.00
Chief Justice Court of Appeals District of Columbia	15,500.00	12,500.00
Other Judges Court of Appeals	15,000.00	12,500.00
Chief Justice Supreme Court, District of Columbia	13,000.00	10,500.00
Other Judges Supreme Court	12,500.00	10,000.00
Presiding Judge Court of Customs Appeals	15,500.00	12,500.00
Other Judges Customs Appeals	15,000.00	12,500.00
Board of General Appraisers	12,500.00	10,000.00

REVIEW OF NORTH DAKOTA DECISIONS

Robinson v. Swenson et al. A loan was negotiated by a resident of this state, and the mortgage executed to his father, a resident of New York. The mortgagee shortly thereafter executed a satisfaction of the mortgage before the son, who negotiated the loan, who was a notary public. Prior to the date borne by the satisfaction the note and mortgage were sold and assigned by the mortgagee to the plaintiff, who also was a resident of New York. This assignment was not recorded for nearly six years after the execution of the mortgage. The son was the agent of the mortgagee to handle his business in North Dakota, and there is evidence showing that plaintiff knew this. The plaintiff entrusted the matter of collecting the paper purchased by him largely to the mortgagee. The defendants paid the mortgage to the son of the mortgagee, who negotiated the loan, but prior to doing so ascertained that the mortgage stood of record in the name of the mortgagee and paid only after the satisfaction was recorded. In an action by plaintiff, the assignee, to foreclose, it is HELD that in the absence of authority, express or implied, to employ a sub-agent the confidence reposed in the agent by the principal is personal and may not be delegated to affect the rights of the latter. From usage or circumstances the power to delegate authority may be inferred. Unless specifically forbidden by the principal, an agent may delegate his power to a sub-agent, when the agent cannot himself and the sub-agent can lawfully perform, and when it is the usage of the