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## A Modest Request

North Dakota Law Review

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The first meeting of this committee has been called by President McIntyre for the 22nd of October, and will be held at Grand Forks. At this session the year's work will be outlined, budget prepared, committees appointed, printing contracts awarded, and other routine business transacted.

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### RE-STATEMENTS OF THE LAW

The following copies of the various re-statements of the law as sent out by the American Law Institute are in the hands of the Secretary for distribution at fifty cents each:

16 copies Agency No. 1  
20 copies Torts No. 1  
16 copies Torts No. 2  
13 copies Contracts No. 1  
14 copies Contracts No. 2  
18 copies Conflicts of Laws No. 1  
16 copies Conflicts of Laws No. 2.

Orders will be filled at these prices until this supply is exhausted. Make checks payable to State Bar Association.

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### DID YOU VOTE?

That is a pertinent question, certainly. Having observed the results obtained through minority participation in elections, wept bitter tears over the results, and denounced the "slackers" whose votes would have given you a chance to crow, you will please take note that October 30th is the date on which the balloting for recommendations to membership on the Bar Board closes. Until amendment of the Association's Constitution and By-Laws, which can not be accomplished until the meeting next year, the present method of making the selection must be followed. Vote as you please, but vote!

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### A MODEST REQUEST

We just recently received from Mr. Wm. H. Pauling Emrich, "Avocat Americain" of Paris, speaking for "Ministere de la Justice, office de Legislation Etrangere et de droit International", having its home in the "Batiment of the Ministere at 13 Place Vendome, Paris", a request for the following contribution by the State Bar Association of North Dakota:

1. Copy of the annotated statutes of the State;
2. Copy of the Acts of Incorporation and Municipal Ordinances of the chief cities of the State;

3. Copy of text books written by members of the State Bar on legal subjects;
4. A set of the Supreme Court Reports;
5. Journals, reviews and publications appertaining to government, legislation and the administration of justice;
6. Other publications along lines of political, moral and social science, international law, constitutional law and law reform as individual members may desire to make.

The letter suggests that the books be dedicated on the front page in the handwriting of the donor, and sent parcel post prepaid to the address above given.

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### RESTATEMENT OF THE LAW

The Hon. William Draper Lewis, answering the question pro-  
posed following his address to the West Virginia Bar Association,  
namely, "What will be the force and effect of the restatement of the  
law?" said this: "We believe that the restatement will be the agency  
that will tend to unify the common law. If it doesn't do that, then we  
have thrown away our time. We believe that it will lead through the  
training of new men as lawyers in the training schools and by the use of  
it in the courts in their decisions, to a very much more uniform use of  
legal language. I have been asked a question slightly analagous at  
other bar meetings: What is a judge expected to do, for instance, in the  
Supreme Court, when a case comes before him and the Institute says one  
thing in regard to the law and a recent decision says the other. There  
is only one answer: They follow their recent decisions, unless they are  
so far convinced that it is absolutely wrong that they would change  
them anyhow. I don't think the Institute will ever get to a position  
where a court would, after a recent decision, 'wabble' because the re-  
statement came out in a different way. But remarkably few cases of  
that kind are going to exist because we are never making a statement  
where the recent cases in the United States are all against us or the  
great weight of authority is against us. We are always making the  
statement that will be naturally followed by the great majority of  
courts."

To the question, "Is it expected that the restatement will be adopted  
by the states?" Mr. Lewis replied: "We have no desire—and I will put it  
the other way—we are very desirous that no legislature will think of  
adopting this restatement. We are not codifying the law in the sense  
of producing a statute. We believe in the common law system and we  
want to preserve that flexibility of the common law, and if you are going  
to make the restatement of the law a legislative code you are going to  
destroy the common law system, and no matter how good the code is and  
the millions of dollars we spend on it, it will be only in a few subjects and