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OPEN COURT

COUNTY LEGAL RESEARCH CLUBS

Strangely enough, in view of the general qualities of leadership found in men of the law, and manifold as are the advantages of intimate professional contact, until 1926 no association of any beneficial kind existed in Mecklenburg County (so the writer is informed) since that mythical time whereto the memory of man runneth not to the contrary. The medical men had their society which met regularly. Likewise the ministers, the dentists, the pawnbrokers, the bankers, the plumbers, the garbage men, and candlestick makers—but not so of the lawyers! The Mecklenburg Bar Association—the usual loosely-knit, cumbersome organization found in the more populous counties—has never provided the needs of a professional society and sporadic efforts on the part of some to invigorate the county bar association did not reach their mark.

In the fall of 1926 a group of the younger members of the Mecklenburg Bar formed a law club designed somewhat after the law clubs found in our law schools, but with the emphasis placed on research and discussion rather than moot courts. Inquiries as to the plan of the club have been addressed to its president by attorneys in other county seats, and, after a year and a half of existence it is felt that a statement of the club's plan and functions will prove interesting to the LAW REVIEW's readers in other counties.

First look at the make-up and machinery of the society :

Invitations to attend meetings extended to all lawyers; also business men who may be interested in a particular topic of law, *e.g.*, banks, insurance, restrictive covenants, conditional sales contracts, etc.

Rules, two: meetings start on time; newspaper men are not invited, and publicity in the papers is not sought.

Requirements, none! No dues, no duties, no fines, no forfeitures, nor attainder of blood. Everything voluntary.

Benefits and appeals: improvement of self and fellow members, the gratitude and esteem of the attendants at meetings. Parenthetically here, note that such a club cannot succeed without a willing and able Mussolini at the helm, who will unstintingly give his time and that of his stenographer for the good of the organization. Our particular Mussolini assigns a man (or men) a subject to report on

(*vide infra*), discuss or debate, in ample time for him to prepare himself. If he accepts the assignment and performs (rest assured he'll perform his best), well and good; if not accepted, well but not so good; if accepted and not performed, not well and not good!

The place of meetings: any small hall where there is no rent.

The time of meetings: once every month at a convenient hour at night.

The programs: (1) a written report by one attorney on a particular subject (see list appended hereto), and a prepared discussion of the subject by one or more others, followed by questions to the reporting attorney and a free and informal discussion by all; (2) addresses by eminent experts on such subjects as "Modern Trust Agreements," "Federal Procedure," etc.; debates on such subjects as raising the bar requirements, and points of professional ethics. The written reports are filed with the secretary of the society, and afford attorneys unable to attend meetings good reading, and surprisingly often are sought as briefs.

Leaving the structural make-up of the club, we see the true value of such an organization only in the more intimate working of the local club. While still imperfect, it is felt that its success must be most gratifying to those who sponsored it. The attendance is never large. Of course those attorneys who are generally reputed to most need the things to be gotten at the meetings never attend. Also, very few gray hairs are seen at the club meetings. But no one objects to these absences. A small group of perhaps fifteen to forty persons is easier to talk to informally than a large assemblage, particularly if included in the larger assemblage there be dullards and dignitaries. The reports and discussions have never failed to be both enlightening and interesting, and it is believed that with able leaders the club will not die or, worse, go to seed.

And as a by-product of the meetings we find that perhaps the most valuable, certainly the most lasting, benefit is the good fellowship that comes from meeting on the same side of the fence with the men at whom we will spit fire in hard-fought cases for the remainder of our lives. It is conceived that Saint Yves, the patron saint of barristers, blesses the meetings with his ghostly presence and smooths many a wrinkle of ill feeling wrought in court between the brethren.

The following is a list of programs which have proven very interesting:

County Courts: Their jurisdiction, procedure and possibilities.
 Civil Procedure as amended by the General Assembly of 1927.
 Recent Decisions of the Supreme Court of North Carolina.
 Supplementing of Judgment Debtors.
 Examination of Adverse Parties before Trial.
 Attachment and Garnishment.
 Reflections as Judge of the Circuit Court of Appeals.
 Procedure in Federal Court.
 Conservation of Estates.
 Administration of Estates.
 Presumptions and Burden of Proof.
 Rotation of Judges.
 Resolved: that the Educational qualification of Attorneys should
 be Raised.
 Removal of Causes to Federal Court.
 Examination of Titles.
 Recent Decisions on Negotiable Instruments.
 Damages by Automobiles; some suggestions to the General As-
 sembly.

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JUDICIAL USE OF THE BIBLE

The second case of *Dunn v. Jones*, 195 N. C. 354, 142 S. E. 320 (1928) carries forward the biblical references made in the first case—see *Dunn v. Jones*, 192 N. C. 251, 134 S. E. 487 (1926)—referred to as the rich young ruler case—with this excerpt from the pen of Brogden, J.:

“Plaintiff in his brief says: ‘I take much pleasure in informing this Court that I have read every one of your reports from Vol. 140 to 193, inclusive, and with the hundreds of opinions, I have found nothing that in law would support the judgment sent up in this record.’ In view of the fact that the uniform holding of the Court supports the judgment rendered, the plaintiff’s aforesaid declaration in the brief, calls to mind the colloquy between Philip and a notable citizen of Ethiopia, occurring long ago. The distinguished citizen of Ethiopia was undertaking to read the Book of Law, and the great evangelist propounded to him this query: ‘Understandest thou what thou readest?’ Acts 8:30.”