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The North Carolina State Bar

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THE NORTH CAROLINA STATE BAR

KEMP D. BATTLE, *Editor*

April Council Meeting

The Council of the State Bar met in the Supreme Court Room, Raleigh, on April 12, 1940. There were present George C. Greene, President; L. P. McLendon, Vice-President; Edward L. Cannon, Secretary, and the following Councillors:

Junius D. Grimes, First District, Washington.
 K. D. Battle, Second District, Rocky Mount.
 D. H. Bland, Fourth District, Goldsboro.
 Albion Dunn, Fifth District, Greenville.
 John D. Warlick, Sixth District, Jacksonville.
 Jos. B. Cheshire, Seventh District, Raleigh.
 Louis J. Poisson, Eighth District, Wilmington.
 Dickson McLean, Ninth District, Lumberton.
 R. P. Reade, Tenth District, Durham.
 G. H. Hastings, Eleventh District, Winston-Salem.
 Charles W. McAnally, Twelfth District, High Point.
 J. F. Milliken, Thirteenth District, Monroe.
 J. Laurence Jones, Fourteenth District, Charlotte.
 B. F. Williams, Sixteenth District, Lenoir.
 A. Turner Grant, Seventeenth District, Mocksville.
 Dover R. Fout, Eighteenth District, Burnsville.
 Kester Walton, Nineteenth District, Asheville.
 R. L. Phillips, Twentieth District, Robbinsville.
 P. W. Glidewell, Twenty-first District, Reidsville.

It will be noted that only two members of the Council were absent. One of them was out of the state on necessary business. Mr. Walton of Asheville succeeded Mr. Julius Martin, II, who resigned in consequence of his removal to Washington where he is in Government service. A report to the Council of respect for the late Henry M. London, and of appreciation for his services to the profession in North Carolina, was made by Councillors Grimes, Perry and Battle. It was incorporated in the minutes and is as follows:

Concerning the death on December 29, 1939, in the City of Raleigh, of Henry M. London, the Council of the North Carolina State Bar wish to make permanent record of their appreciation of the character of its former secretary and of the vitally important role which he played in the creation, organization, and functioning of the State Bar.

Through his many years of service as secretary of the North Carolina Bar Association, Mr. London had gained the personal friendship

and confidence of more North Carolina lawyers than any other member of the legal profession in this state. When the Bar Association, at its meeting in Asheville in July, 1932, gave its officers a mandate to seek from the General Assembly legislation to incorporate the members of the Bar, he threw himself into the campaign with fine loyalty and enthusiasm. Residing in Raleigh and being the trusted friend of the members of the General Assembly, he was in a position to give more aid to the cause than any other supporter and the final success of the movement was due in a large measure to his effective efforts.

When the Act incorporating the Bar became operative and the newly elected members of the Council met to organize, the Councillors with one accord turned to Henry London to serve as secretary, believing that his extraordinary efficiency and tact in the administration of such work would do more than anything else to gain the support and confidence of the average North Carolina lawyer. His five years of service in the office of secretary amply justified those expectations. His warm and friendly spirit, his wide acquaintance, his mastery of detail, his tireless energy, the state-wide confidence in his integrity and sincerity combined to make him the secretary *par excellence* and to him is due in large measure the smooth functioning of the young organization during the years when its popular support was still uncertain. It was with sincere regret that the Council received his decision to retire when it was decided that the office should be put on a full-time basis. His contribution to the success of the State Bar was important and distinguished, and was a fitting complement to his work for its parent body, the North Carolina Bar Association. Through these two bodies, Henry M. London has probably done as much for the welfare and elevation of our profession as any lawyer who has ever lived in North Carolina.

The Council, through the undersigned committee duly appointed for that purpose, will receive this report in lieu of more formal resolutions. The present secretary will record it as an addendum to the minutes of the January, 1940, quarterly meeting and will send a copy to the members of his family, in whose grief we share both personally and officially.

A report was received from the Trial Committee on charges filed against Robert S. Eaves, a practicing attorney of Rutherfordton. No exceptions were filed to the report. It was adjudged that the respondent appear before the Council at its July meeting to receive a reprimand; respondent also to pay the costs of the disciplinary hearing.

Upon recommendation of the Grievance Committee, a trial was ordered on charges filed against attorney Paul Strickland of Burlington. The committee will consist of Councillors Hastings, Grant, and Glide-well.

Upon recommendation of the Grievance Committee, trial was ordered on additional charges filed against attorney T. E. Bass of New Bern. Disciplinary proceedings are already underway by resolution of the Council passed at the January meeting, and the charge now filed is to be heard by the same committee then appointed.

Upon recommendation of the Grievance Committee, trial was ordered on charges filed against Latham A. Wilson of Rose Hill. The committee consists of Councillors Warlick, Grimes, and Dunn.

Charges filed against another attorney whose name is reserved were dismissed upon recommendation of the Grievance Committee.

Rules governing admission to the Bar were modified to require a larger fee from applicants for comity license coming from states in which larger fees are charged to comity applicants from this state. This change was suggested by the Board of Law Examiners to correct a situation in which there has been a lack of reciprocity on the part of certain states in reference to the charges imposed.

The Secretary reported on the result of a conference with Governor Hoey with reference to appointments of Justices of the Peace. Governor Hoey stated that he would require endorsement of the local Bar before appointing applicants for that office.

The matter of collection of State Bar dues from attorneys who are not engaged in active practice or who hold governmental positions, or are engaged in full-time work for corporations, was again discussed. Upon recommendation of the special committee on this matter, Mr. L. J. Poisson, Chairman, it was decided that members of the State Bar, who desire to retire from the active practice of law on account of physical disability or the infirmities of age, may do so and be relieved of the payment of dues; that members of the Bar who desire to be relieved of the payment of dues for any other reason except physical disability or infirmities of age, shall make written application, to the Council, setting forth the reasons why remission of dues is requested. The Council will act upon such applications according to the circumstances in each case.

A committee of Councillors Grimes, Fout and McLendon were appointed to confer with the State Building and Grounds Committee concerning the securing of satisfactory office space in the new Justice Building.

A report was received from the committee appointed to hear charges filed against attorney Jesse A. Jones of Kinston. Exceptions had been filed to the Trial Committee's report. The matter was heard at length upon argument by counsel for the respondent and for the State Bar.

The case was then ordered re-referred to the Trial Committee for additional evidence and findings of fact.

The Committee on Unauthorized Practice of Law, through Judge Dunn, reported that after a conference with Home Detective Co., Inc., of Greensboro, legal proceedings, authorized at the January meeting for the purpose of restraining the organization referred to from the unauthorized practice of law, had not been instituted; that at a conference with representatives of the company assurances were received that practices which had caused complaint to be made would be abandoned and that a satisfactory agreement with the company could in all probability be arrived at without use of court proceedings.

Report was also made that proceedings against E. G. Cox, Jr., an insurance adjuster of Greensboro, had not been begun for reason that the committee had not been able to locate the party referred to since the proceedings had been authorized.

Treasurer's Report

Statement of Receipts and Disbursements From October 28, 1938, to December 1, 1938

Receipts

Balance First-Citizens Bank & Trust Co.....	\$ 782.89
92 Dues Collected @ \$3.00.....	276.00
27 Subscriptions to <i>Law Review</i>	27.00
Cash 2—\$250.00 2% Time Certificates.....	500.00
Repayment Bad Check.....	16.00
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	\$1,601.89

Disbursements

Expenses Councillors.....	\$ 384.15
Expenses Trial Committee.....	23.55
Reporting	49.68
Postage, Printing, Supplies.....	68.05
Investigations	261.96
Salary, Secretary-Treasurer.....	250.00
Clerical Assistance.....	50.00
Gaston Wreath.....	4.12
<i>Law Review</i>	27.00
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	\$1,118.51
Balance in First-Citizens Bank & Trust Company.....	\$ 483.38
To E. L. Cannon, Secretary-Treasurer.....	483.38
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	483.38

HENRY M. LONDON.

December 1, 1938, to October 24, 1939

Receipts

Balance from H. M. London.....	\$ 483.38
Dues @ \$5.00 for 1939, 1,617.....	8,085.00
Dues @ \$3.00 for 1939, 6.....	18.00
Dues @ \$3.00 for 1938, 263.....	789.00
Dues @ \$3.00 for 1937, 57.....	171.00
Dues @ \$3.00 for 1936, 40.....	120.00
Dues @ \$3.00 for 1935, 28.....	84.00

Dues @ \$3.00 for 1934, 15.....	45.00
Dues @ \$3.00 for 1933, 10.....	30.00
855 <i>Law Reviews</i> at \$1 (one over subscription).....	855.00
Miscellaneous (Advertising and books).....	255.75
Overdeposit credit.....	6.00
Bad checks	111.00
TOTAL RECEIPTS	\$11,053.13

Disbursements

Postage, Printing, Supplies, and Equipment.....	\$1,979.86
Reporting	415.95
Clerical Assistance.....	952.50
Expenses Councillors.....	1,071.97
Salary, Secretary and Treasurer.....	3,200.00
Expenses, Trial Committees.....	533.08
Attorneys' Fees.....	25.00
Expenses Bar Meetings.....	89.30
Expenses—Grievance Committee.....	55.00
Bond Premium.....	1.93
Expenses Investigations.....	709.93
Refunds (Overpayments).....	15.00
Overdeposit Charge off.....	6.00
Bad Checks.....	114.00
To <i>Law Review</i> (\$25.00 outstanding).....	829.00
TOTAL DISBURSEMENTS.....	\$9,998.52
October 24, 1938, Balance First-Citizens Bank & Trust Co.....	\$1,054.61

EDWARD L. CANNON, *Secretary-Treasurer*.