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THE NORTH CAROLINA STATE BAR

KEMP D. BATTLE, *Editor**

Seventh Annual Meeting

The seventh annual meeting of The North Carolina State Bar was held in the ball room of the Sir Walter Hotel, Raleigh, on October 25, 1940, President Green presiding. The meeting was opened with an invocation by Rev. John A. Wright, Rector of Christ Church, Raleigh.

The address of welcome was made by Col. W. T. Joyner, of Raleigh. Departing from the frequent practice of performing such a function in a spirit of humor and pleasantries, Col. Joyner gave his brother lawyers an exceptionally interesting and illuminating discussion of the momentous conflict between the leaders of the Bar of reconstruction days and the members of the Supreme Court, which culminated in a public protest signed by Hon. B. F. Moore and one hundred and seven other prominent lawyers against the participation by members of the Supreme Court in partisan politics. That incident is full of instruction and interest to every lawyer who loves his profession and Col. Joyner made us feel that we were living again those stirring days.

Mr. Victor S. Bryant, of Durham, who had been invited to respond to the address of welcome, followed Col. Joyner's lead in performing his function in a serious vein, giving a brief but penetrating analysis of the extent to which North Carolina has followed the national trend toward committing to administrative bureaus the administration of the rights of people which have heretofore been traditionally committed to the protection of the civil courts.

Dr. Malcolm McDermott, Professor of Law at Duke Law School, gave a most impressive review of the work done by the Committee on Revision of the North Carolina Law Relating to Estates. The scholarly and thoughtful report of that committee was presented to the Legislature of 1939 but no action was taken. Professor McDermott pointed out that there had been no comprehensive revision of the North Carolina statute law on descents in more than one hundred years; that the present Code on that subject was cluttered with incongruities and obsolete remnants of laws which grew out of civil customs long since abandoned. The speaker suggested that the Bar should interest itself in urging the Legislature to avail itself of the thoughtful ground work of the Com-

* *Editor's Note:* This account of the October meeting of the State Bar could not, because of transcription difficulties, be made available in time for the December issue of the REVIEW.

For similar reasons, the summary of the January Council meeting will have to await the April issue.

mission. He received an enthusiastic response, and it is earnestly hoped that the careful and patriotic work which has been done on this subject shall not be sacrificed to legislative inertia.

The next speaker was Hon. R. Allen Stephens, for a quarter of a century Secretary of the Illinois State Bar, who reviewed with wit and incisiveness the subject of Unauthorized Practice. The extent to which the growth of that evil disease of the body politic has resulted from derelictions by lawyers themselves, was unsparingly analyzed and possible remedies were weighed and compared with discrimination.

The morning session of the meeting concluded with a report by Mr. W. J. Adams, Chief of the Division of Legislative Drafting and Codification of the State Department of Justice, on the work of revising the North Carolina statutes. This subject matter is one which attracts the immediate interest of all lawyers. The form which this tool used every day by the practitioner shall take, and the accuracy and thoroughness with which the work is done, are matters of vital importance in the practice. The comprehensive review given by Mr. Adams left the audience with complete assurance that this great task is in competent and conscientious hands. There was undoubtedly disappointment at the verdict that the work could not be completed in time for the 1941 Legislature, but comments about the lobby indicated that the profession would tolerate an additional two years' delay in order to have a satisfactory job at the end.

The afternoon session began with an address by Maj. L. P. McLendon, of Greensboro, Vice-President of the Association, on "The Lawyer and His Public Relations". It was a scholarly and patriotic address. The extent to which the attachment of the American people to their political institutions, their pride in their history, and their willingness to defend their freedom, have been sapped by a quarter of a century of teaching history from the standpoint of the professional "debunker", was laid bare. The responsibility of the lawyer in a time of national crisis, the complexity of some of the problems of his professional life, and the spirit in which we must face the future, were examined in a most interesting and impressive manner.

The guest speaker of the afternoon session was the Hon. D. H. Redfearn, immediate past president of the Florida State Bar Association, who gave a delightful account of the actual experience of the lawyers of Florida in conducting a series of legal institutes throughout the state. His preliminary discussion of the disesteem in which the legal profession is held by the people of this country as revealed in the press, was only less impressive than the vigor and skill with which the Florida State Bar, under the leadership of the speaker, had attacked the problem of equipping the members of the Bar of that state with revitalized

interest and sharpened skill in performing their professional functions. It would be a tremendous boon to the profession in North Carolina if a similar program could be undertaken in this state.

The President then threw the meeting open to general discussion. Upon motion of Mr. C. W. Tillett, of Charlotte, the President was authorized, in his discretion, to call a special meeting of the State Bar during the General Assembly of 1941 to consider what action, if any, should be taken with respect to three fields of legislation in which the State Bar had taken official interest, namely, the revision of the laws concerning estates, recodification of statutes, and granting of rule making power to the Supreme Court. An amendment to the resolution was accepted so as to include any other legislative matters of general interest to the Bar, and as so amended was carried without dissenting vote.

The following officers were then elected for the ensuing year: President: Maj. L. P. McLendon, of Greensboro; Vice-President, Mr. Wm. B. Rodman, Jr., Washington. Mr. E. L. Cannon had previously been elected Secretary by the Council. The meeting then adjourned with a general feeling of the audience that any lawyer who had been absent had missed a stimulating and informative experience.