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Meeting of the Council of the North Carolina State Bar
January 12, 1951

The regular quarterly meeting of the Council of the North Carolina State Bar was held in the Justice Building, Raleigh, on January 12, 1951, with the officers and 15 members of the Council present.

Minutes of the October meeting were read and approved. The President, Mr. Sapp, introduced Arch K. Schoch, new Councillor from the Twelfth District, who could not be present at the October meeting.

The President called on Mr. R. W. Proctor from the Eighteenth District for a memorial to the late Fred D. Hamrick, Sr., former member of the Council. Memorial was read by Mr. Proctor and the Council ordered the same spread upon the minutes and a copy be sent to the family of Mr. Hamrick.

The President noted that since the last meeting Mr. John A. Scott, former member of the Council had died and designated Mr. H. M. Robins of Asheboro to prepare a suitable memorial to Mr. Scott to be presented to the Council at its April meeting.

Mr. Sapp, as ex officio member of the Executive Committee, reported for the committee that it had examined the statement of receipts and disbursements of the Secretary-Treasurer for the quarter ending December 31, 1950, and found the same to be correct. The committee recommended that notice of delinquent dues to members of the Bar be sent and that the special committee on this subject should be given general power and authority to handle all phases of collection of delinquent dues. The committee also recommended that the Legislative Committee be requested to consider certain changes in the present rules which after working with the special committee on dues seemed to the Executive Committee worthy of consideration. The committee further recommended that dues of members who had been called into the armed forces be waived in accordance with the policy pursued during World War II. Upon motion the report and recommendations of the Executive Committee were adopted.

The President called for the report of the Ethics Committee made by Judge Hastings, Chairman. The committee reported that it had the following inquiries and made their recommendation thereon:

1. Inquiry of attorney as to the propriety of entering into contingent fee agreement in connection with representation for parole or pardon. The committee recommended there was no objection to such agreement
and upon motion the Council adopted the recommendation that it was
their opinion that there was no impropriety in entering into contingent
fee agreement for paroles or pardon and that further there were no
Canons of Ethics prohibiting such agreements in such matters and also
in criminal matters. The recommendation and the motion were adopted.

2. Inquiry of attorneys relative to matters of ethics. After discus-
sion with the committee, the request of attorneys was withdrawn. The
committee recommended no action and the recommendation was adopted.

3. Inquiry of attorneys for opinion as to propriety of one partner
who is administrator or commissioner to employ other partner as his
attorney in which fee would be paid to said partner for acting as such
attorney even though the partnership agreement provided that said part-
tner should not participate in any legal fees paid to said partner acting
as attorney for the other in cases where the first partner was admin-
istrator or commissioner. The committee recommended that it is their
opinion that such practice would be improper. Upon motion the recom-
mandation of the committee was adopted.

The President called for the report of the Legislative Committee
made by Mr. Poisson, Chairman. The committee reported that it had
received the report of the Judicial Council relative to certain bills which
they proposed to introduce into the General Assembly. The committee
further reported that as the bills were not before them and they had
had no previous information on the recommendations, they were unable
to report further. The committee reported that it had communication
relative to certain recommendations of the Judicial Council regarding
powers of special and emergency judges but also in view of their lack
of notice or information on the subject matter, they reported no action
or consideration. The committee further reported that it had received
a communication from the Thirteenth District Bar relative to a bill
calling for the name of the drawer on legal instruments for filing to
be listed on such instruments. The committee recommended that in
view of past proposals on this subject, the matter go over until the next
meeting of the Council. Upon motion made the report and recom-
mandations of the committee were adopted.

Motion was made from the floor to request the Judicial Council to
make some study of the practice and procedure relative to pardons and
paroles. Motion was adopted.

The President called for the report of the Grievance Committee
made by Mr. Reade, Chairman. The committee reported a study of
nine matters presented it in which the committee recommended further
investigations by the Secretary and also dismissals in some cases. The report and recommendation of the committee were adopted.

The President called for the report of the Committee on Unauthorized Practice. Mr. Grimes, Chairman, reported that said committee had no formal report at this meeting.

The president called for the report of the Membership Committee; said committee recommended that petitions filed by the following be disposed of as indicated:

1. W. Furman Betts, Jr.—Approved.
2. William A. Devin, Jr.—Denied.
3. William A. Stringfellow—Re-referred to committee.
5. J. H. Howell—Approved.

The committees on War Work and the Industrial Commission stated that they had no report for this meeting.

Motion was made to elect Albion Dunn, Greenville, a member of trial committee in the case of H. L. Taylor. Motion was seconded and adopted and he was declared duly nominated and elected a member of the trial committee in this case.

Motion was made to elect Jennings G. King, Laurinburg, a member of trial committee in the case of H. L. Taylor. Motion was seconded and adopted and he was declared duly nominated and elected a member of the trial committee in this case.

Motion was made to elect H. M. Robins, Asheboro, a member of trial committee in the case of H. L. Taylor. Motion was seconded and adopted and he was declared duly nominated and elected a member of the trial committee in this case.

The President announced that upon the vote, election and designation of the above three Councillors, the same were duly designated by said Council to sit as a trial committee in the case of H. L. Taylor.

The President advised the Council that they should elect committee members for 1951 and upon motion and nomination, the following were elected to the committees as indicated for 1951:
Executive Committee
J. Laurence Jones. Chairman, Charlotte
J. D. Warlick, Jacksonville
G. H. Hastings, Winston-Salem
J. D. Grimes, Washington
R. W. Proctor, Marion

Grievance Committee
R. P. Reade, Chairman, Durham
Z. V. Norman, Plymouth
J. E. Banzet, Warrenton
B. F. Williams, Lenoir
Don A. Walser, Lexington

Ethics Committee
Albion Dunn, Chairman, Greenville
Thomas W. Davis, Wilmington
B. F. Williams, Lenoir
H. M. Robins, Asheboro
P. W. Glidewell, Reidsville

Legislative Committee
L. J. Poisson, Chairman, Wilmington
I. M. Bailey, Raleigh
P. W. Glidewell, Reidsville
Z. V. Norman, Plymouth
W. H. McElwee, N. Wilkesboro

Committee on Dues
I. M. Bailey, Raleigh
Thomas W. Davis, Wilmington
Don A. Walser, Lexington

Unauthorised Practice Committee
J. E. Banzet, Chairman, Warrenton
P. W. Glidewell, Reidsville
R. P. Reade, Durham
J. G. King, Laurinburg
J. Laurence Jones, Charlotte
G. H. Hastings, Winston-Salem
I. R. Williams, Dunn
Dickson McLean, Lumberton

Membership Committee
J. D. Grimes, Chairman, Washington
I. M. Bailey, Raleigh
Dickson McLean, Lumberton
Arch K. Schoch, High Point
John M. Queen, Waynesville
H. M. Robins, Asheboro
J. G. King, Laurinburg
Kester Walton, Asheville

War Work Committee
Z. V. Norman, Chairman, Plymouth
John M. Queen, Waynesville
R. W. Proctor, Marion
Arch K. Schoch, High Point

Trust Company Committee
J. Laurence Jones, Charlotte
R. P. Reade, Durham
Albion Dunn, Greenville
L. J. Poisson, Wilmington
J. E. Banzet, Warrenton
J. D. Grimes, Washington

The Council discussed the matter of problems existing with the Board of Law Examiners in their present schedule of having two examinations per year. Following discussion, motion was made that the Council go on record as opposing the continuation of two examinations per year and that only one examination in August be given by the Board of Law Examiners. Motion was unanimously passed.

There being no further business, the Council adjourned at 4:00 o'clock.