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# North Carolina State Bar

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# NORTH CAROLINA STATE BAR

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 discussion 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 partner should not participate in any legal fees paid to said partner acting as attorney for the other in cases where the first partner was administrator or commissioner. The committee recommended that it is their opinion that such practice would be improper. Upon motion the recommendation 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 recommendations 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.
4. Bennet Nooe—Approved.
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:

## The North Carolina State Bar Committees—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

*Unauthorized 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.