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The North Carolina State Bar

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THE NORTH CAROLINA STATE BAR

KEMP D. BATTLE, *Editor*

July Council Meeting

The mid-summer meeting of the Council of The North Carolina State Bar was held in the Supreme Court room on July 15, 1938. There were present the following: President Charles G. Rose, Vice-president Fred S. Hutchins, Secretary Henry M. London, and Councillors Junius D. Grimes, Kemp D. Battle, B. H. Perry, D. H. Bland, Albion Dunn, Jos. B. Cheshire, Louis J. Poisson, Dickson McLean, R. P. Reade, G. H. Hastings, Don A. Walser, J. F. Milliken, J. Laurence Jones, A. Turner Grant, J. E. Shipman, Julius Martin, II, McKinley Edwards, J. Hampton Price.

The president was requested to write to President Roosevelt endorsing Chief Justice Walter P. Stacy for appointment to the U. S. Supreme Court to succeed the late Mr. Justice Cardozo.

The resignation of Mr. Walter C. Feimster, Councillor of the Sixteenth District, was accepted, and a committee was appointed to express to Mr. Feimster the regret of the Council at his resignation and to convey their good wishes. Mr. Feimster resigned in consequence of his appointment to the State Alcoholic Beverage Control Board, a position which is deemed an office in the constitutional sense, conflicting with his holding office as a member of the Council of the State Bar.

The employment of a full-time secretary was deferred until the October meeting.

Hon. J. Elmer Long, attorney for Mr. B. Ray Olive, appeared before the Council and requested reconsideration of the action of the Council at its April meeting by which Mr. Olive was suspended from practice for a period of one year in consequence of the judgment of the Council upon charges filed. After the hearing and discussion, motion for reconsideration was denied.

The report of the Trial Committee on charges filed against Mr. Detlaw Sanderson, an attorney of Wilmington, N. C., was postponed to the October meeting at the request of counsel for Mr. Sanderson on account of the latter's illness.

Upon recommendation of the Grievance Committee a trial was ordered upon charges made against Attorney F. W. Williams of Winston-Salem. The Trial Committee is composed of Messrs. Don A. Walser, J. Laurence Jones, and Hayden Clement. Prosecution will be in charge of Mr. John J. Ingle of Winston-Salem.

Upon recommendation of the Grievance Committee trial was ordered upon charges filed against attorney Louis A. Whitner of Hickory, N. C. The same trial committee and the same prosecuting attorney were appointed for this case.

Upon recommendation of the Grievance Committee charges against certain attorneys were dismissed. It is the practice of the Council to treat such matters as confidential unless prosecution is decided upon.

Charges against several attorneys at Charlotte have been the subject of investigation by an attorney representing The North Carolina State Bar. In certain of the cases the Grievance Committee was prepared to make a report, but on others investigations were still incomplete, and it was decided to defer consideration of all Mecklenburg County cases to the October meeting in order that the Council's investigator might complete his work.

A committee, composed of President Rose and Messrs. Dickson McLean and L. J. Poisson, was instructed to confer with the Chief Justice of the North Carolina Supreme Court as to certain matters concerning the duties of the Council and its jurisdiction in disbarment proceedings.

The Committee on Unauthorized Practice of Law reported that it had had a conference with the general counsel of the Production Credit Corporation of Columbia concerning complaints that the corporation, through its salaried employees, was engaged in the practice of law in examination of records as to liens against applicants for loans. The committee hopes to make a full report at the next meeting.

The Council went on record as expressing its approval of the proposal made by the North Carolina Bar Association that the Supreme Court of this state be given by the Legislature power to make rules of practice and procedure in the inferior courts. The Committee on Legislation and Law Reform was instructed to coöperate with the committee from the North Carolina Bar Association in sponsoring legislation to the above end.

October Council Meeting

The October meeting of the Council of the State Bar was held on October 27, 1938, in the Supreme Court room, Raleigh. The meeting was attended by President Rose, Vice-president Hutchins, Secretary London, and Councillors Junius D. Grimes, K. D. Battle, B. H. Perry, D. H. Bland, Albion Dunn, F. E. Wallace, J. B. Cheshire, Louis J. Poisson, R. P. Reade, G. H. Hastings, J. F. Milliken, J. Laurence Jones, B. F. Williams, A. Turner Grant, J. E. Shipman, R. L. Phillips, and J. Hampton Price.

Mr. B. F. Williams of Lenoir took his seat on the Council in succession to Mr. W. C. Feimster who had resigned upon his appointment to the State Alcoholic Beverage Control Board. Mr. R. L. Phillips of Robbinsville took his seat in succession to Mr. McKinley Edwards whose term had expired. New members of the Council were assigned to the Committee on Legislation and Law Reform. The report of the treasurer, audited by the Executive Committee, was received and is printed post, p. 90.

A resolution was adopted authorizing the president to make interim appointments to trial committees and other committees to fill vacancies caused by illness or other inability to perform the duties assigned. The action of the president in appointing Mr. J. Hampton Price on a trial committee in place of Mr. Hayden Clement, who is ill, was approved. A resolution was adopted expressing the regret of the Council at Mr. Feimster's resignation and appreciation of his services.

The report of the Trial Committee in the Detlaw Sanderson case was presented by Judge Albion Dunn, Chairman. The respondent was present in person and was represented by his counsel, David C. Sinclair of Wilmington. After a full hearing and discussion of the report in executive session, the findings of fact of the Trial Committee were adopted to the effect that the respondent had been guilty of conduct unbecoming an attorney, and judgment was rendered that respondent be suspended from the practice of law for a period of twelve months. An appeal was taken to the Superior Court of Columbus County.

The report of the Trial Committee in the matter of F. W. Williams, attorney of Winston-Salem, was read by Mr. J. Laurence Jones for the committee. After discussion the findings of the committee to the effect that the respondent had been guilty of solicitation of professional business were adopted by the Council, and the respondent was ordered suspended from the practice of law for a period of three months.

A committee from the Board of Law Examiners appeared and pointed out that under the prevailing regulations for admission to the bar the Board had found itself unable to exercise any effective control in the amount of time spent on preparation by persons who were studying under private attorneys in anticipation of standing the bar examination. Instances were pointed out in which the attorney certifying the applicant had obviously given only the most cursory attention to the applicant's studies. After discussion the Council adopted a resolution amending Rule 10 and providing in substance that in case of preparation for standing the examination under private practitioners the instructor should give written examinations to the student, and that said examinations and the answers thereto, duly certified by affidavit, should be filed with the Board of Law Examiners.

At the noon recess the members of the Council and the members of the Board of Law Examiners were guests of Mr. and Mrs. H. M. London at a delightful luncheon served at their home on Blount Street.

At the afternoon session of the Council, the election of a full-time secretary was taken up. There were a number of attorneys who had signified their interest in the position and a ballot was taken with all such persons deemed nominees. Mr. E. L. Cannon of Durham received on the first ballot the majority of the votes cast and was declared elected. The Executive Committee was authorized to fix within indicated limits his salary and to make arrangements for his office and expenses. It was decided that the term of the new secretary-treasurer should begin on December 1, and that the salary arrangements made by the Executive Committee should extend to the April meeting of the Council, at which time it would take definite action in the light of the Council's financial position and its prospects at that time. It has been obvious from the beginning that a full-time secretary could not be financed without increased revenue. The Committee on Legislation and Law Reform was therefore directed to prepare and present to the Legislature at its next session a bill increasing the annual dues of members of the State Bar from \$3.00 to \$4.00. This decision was made with reluctance, but an increase in dues appears unavoidable. The Board of Law Examiners for some time has been in need of additional secretarial assistance, and the Council has felt greatly handicapped in investigating charges of unprofessional conduct by the lack of a full-time official. It was also suggested that the Committee on Legislation consider the propriety of action looking toward the payment into the treasury of the Council of the surplus money received from applicants for license. These funds have heretofore been appropriated to the library of the Supreme Court. The view has been expressed that the Supreme Court library appropriation should be a responsibility of the state government and not of the applicants for license.

A resolution of appreciation of the capable and efficient services of Mr. H. M. London as secretary-treasurer of the State Bar from its organization was adopted with enthusiasm and with sincere regret that Mr. London did not feel that he could accept the position of full-time secretary.

Upon report and recommendation of the Grievance Committee, trial was ordered upon charges filed against attorney R. L. Huffman of Hickory, and a trial committee was appointed consisting of Messrs. Milliken, Martin, and Phillips.

Upon report and recommendation of the Grievance Committee, trial was ordered upon charges filed against attorney Charles B. Smith of

Goldsboro, and a trial committee was appointed consisting of Messrs. Perry, Grimes, and Poisson.

Secretary Cannon will serve as prosecuting attorney in both cases.

A committee composed of Messrs. Battle, Dunn, and Poisson was appointed to recommend at the January meeting nominees for election on the Board of Law Examiners in succession to Messrs. Geo. B. Green and Kingsland Van Winkle, whose terms have expired. Under a previous resolution of the Council it is the practice to appoint a nominating committee at a meeting prior to that at which the election is to occur, and the committee is directed to submit the names of two nominees for each vacancy, including vacancies by expiration of term.

The meeting then adjourned.

Fifth Annual Meeting

The annual meeting of The North Carolina State Bar was held at the Sir Walter Hotel in Raleigh on Friday, October 28th. Attendance, including law students from the three approved law schools, exceeded six hundred. President Charles G. Rose presided, and called on Rt. Rev. Edwin A. Penick, Bishop of the Protestant Episcopal Church of The Diocese of North Carolina, for the invocation.

The address of welcome was delivered by Attorney General Harry McMullan, who spoke very optimistically about the future of The North Carolina State Bar, and commended the work which had already been done in elevating the standards of the profession and the standards for admission to the bar. The attorney who had been asked to respond to the address of welcome was unexpectedly absent, and Mr. W. C. Feimster of Newton was called on for an extemporaneous response. Mr. Feimster, as usual, measured up to the occasion in a delightful manner.

Secretary London presented his report of the year's work, the financial portion of which is hereinafter printed. Mr. London also read a list of members who have died in the past year, and the meeting rose as a silent tribute to their memory.

Mr. Junius D. Grimes made the report of the Executive Committee, which gave a brief résumé of the activities of the State Bar during the preceding year. Former Governor Ehringhaus was then called on and introduced Governor Hoey, who paid an eloquent tribute to the lawyer in American public life and his contribution to the public welfare as a leader in his community.

Dean Horack of Duke University Law School extended an invitation to the attorneys of the state to attend the Centennial program at Duke University, and particularly to attend the Symposium on Law and Society, on Friday and Saturday, December 2 and 3. Among the

speakers scheduled were Judge Harold M. Stephens, Mr. Charles Fahey, Mr. Harold J. Laski, Senator Arthur H. Vandenberg, Mr. Walter Lippmann, Mr. Roswell Magill, and Maj. A. L. Fletcher.

Mr. Willis Smith of the Raleigh Bar introduced the honor guest of the occasion, Mr. Frank J. Hogan, president of The American Bar Association, and one of the great trial lawyers of America. Mr. Hogan's address on "The Lawyer's Leadership and Independence" was broadcast over a statewide hook-up.

Bishop Edwin A. Penick, introduced by Mr. Jos. B. Cheshire, charmed the members of the bar with his address on "The Church and the Law". It is greatly to be hoped that this address will be made available for the careful perusal of the lawyers of the state.

Mr. F. E. Winslow, recent president of The North Carolina Bar Association, spoke on the bill to be proposed to the next Legislature giving to the state Supreme Court the power to prescribe rules of practice in the inferior courts. The movement for the extension of the rule making power over the inferior courts seems to be making great headway, and there is every reason to hope that the next Legislature will make possible this potentially great advance. The bill is set forth post, at p. 86.

Mr. James MacClamroch of the Greensboro Bar, having been for a number of years a crusader in the cause of improvement in the administration of justice by the magistrates of North Carolina, explained a bill to be proposed to the next Legislature by The North Carolina Bar Association, providing a single and uniform method for the selection of magistrates and restricting their number according to need. This bill is set forth post, p. 87.

At the afternoon session greetings from The North Carolina Bar Association (the voluntary association which is the mother of the State Bar) were brought by President Kingsland Van Winkle of Asheville. This was followed by an eloquent and inspiring address by Judge I. M. Meekins of the U. S. District Court for the Eastern District of North Carolina. Judge Meekins was introduced by Senator Josiah W. Bailey. His address on "The Law Makes the King" was enthusiastically received and was the subject of many compliments.

Major L. P. McLendon of the Greensboro Bar made an interesting report for the commission which has been studying the establishment of a modern Department of Justice for North Carolina. It was evident that the committee of which he is chairman had studied the matter with the utmost care. Attorneys interested in the details of the proposal can procure a copy of the Committee's report by writing to Major McLendon.

Mr. Kenneth O. Burgwin made a report for the Board of Law Examiners and its work. The editor of this department has the decided impression that the administration by the Board of Law Examiners of their very difficult duties has been rapidly growing in favor with the members of the profession and with the public at large.

The annual election of officers then ensued. Vice-president Fred S. Hutchins of Winston-Salem was chosen to succeed President Charles G. Rose. Mr. Geo. C. Green of Weldon was elected Vice-president. Announcement was made of the election of Mr. E. L. Cannon of Durham, as secretary-treasurer by the Council. Mr. Cannon will succeed Mr. H. M. London, who declined re-election. The meeting adopted enthusiastically a resolution, previously adopted by the Council, of appreciation for Mr. London's fine service.

There was some discussion on the floor and in private conversation as to whether the State Bar should, as a general policy, elect a new president every year, or whether it would be better in general to re-elect the president for a second term. On the one hand it was pointed out that after a year's service on the Council, of which he is an *ex officio* member, the vice-president has had sufficient experience to take over the reins. On the other hand the view has been expressed that the State Bar is a working organization and not one for the passing around of honors; that as the vice-president is apt to be rarely elected from members of the Council, a term of one year is not long enough for thorough seasoning for the presidency, and that it is a sacrifice of efficiency to relieve an efficient president after one year's service. The organization is too young to have developed traditions. President Bailey served two years. President Smith served two years. President Rose asked to be relieved after one year. Perhaps it is better that there should be no fixed tradition about it; but the hope is expressed by the editor that the efficiency of the organization and not the desire to pay compliments to popular lawyers will be the goal of the membership.

Proposed Legislation

The North Carolina Bar Association, with the endorsement of the Council of The North Carolina State Bar, recommends that the 1939 General Assembly enact into law the Rulemaking Bill and the two Justice of the Peace Bills set forth below. Questions, criticisms, or suggestions concerning the Rulemaking Bill should be directed to Mr. Francis E. Winslow, of Rocky Mount; those concerning the Justice of the Peace Bills should be directed to Mr. James G. W. MacClamroch, of Greensboro. These are the chairmen of the respective Bar Association committees which worked out the measures.

THE RULEMAKING BILL

A bill to be entitled an Act to amend Section 1421 of the Consolidated Statutes relating to the authority of the Supreme Court to govern by rules of court the practice and procedure in the courts below the Supreme Court.

The General Assembly of North Carolina do enact:

Section 1. Section 1421 of the Consolidated Statutes of 1919 is amended to read as follows:

Sec. 1421. The Supreme Court is authorized to govern by rules of court the forms of process, writs, pleadings, practice and procedure in all proceedings, both civil and criminal, in all of the courts below the Supreme Court.

Sec. 1421 (a). These rules shall not abridge, enlarge or modify the substantive rights of any litigant, or any right of trial by jury preserved in the Constitution, and they shall not take effect until six months after their promulgation by the Supreme Court and publication in the Advance Sheets of the Supreme Court Reports.

Sec. 1421 (b). All statutes now in force relating to the forms of process, writs, pleadings, practice and procedure in all proceedings, both civil and criminal, in all of the courts below the Supreme Court, shall henceforth have the status of rules of the Supreme Court and shall remain in full force unless and until they shall have been modified or repealed by rules of court promulgated pursuant hereto.

Sec. 1421 (c). To aid the Supreme Court in its discharge of the duties imposed by this Act there is established an Advisory Committee which shall consist of not less than seven nor more than eleven members, who shall be appointed by the Supreme Court for terms of four years each. The terms of the first members, however, shall be so arranged that substantially one-half shall serve for terms of two years each and the remainder for terms of four years each. The members of the Advisory Committee shall be selected from the judges of the trial courts, the practicing lawyers, and the faculties of the law schools. The first meeting of the Advisory Committee shall be called by the Chief Justice of the Supreme Court, within sixty days after this Act shall have taken effect, whereupon the Advisory Committee shall organize and elect its own chairman and secretary. The members of the Advisory Committee shall serve without compensation, but they shall receive their necessary expenses while actually engaged in the duties imposed upon them by this Act. And the Advisory Committee shall be provided with necessary clerical assistance. Both of these costs shall be paid out of the funds appropriated to the Supreme Court.

Sec. 1421 (d). It shall be the duty of the Advisory Committee to study the work of the trial courts and to recommend from time to time to the Supreme Court such new rules and modifications and repeals of existing rules as in its judgment will tend to improve the administration of justice. To that end, the Advisory Committee is authorized to obtain from the officers of the trial courts such information as it may deem necessary. No new rules or modification or repeal of an existing rule shall be submitted by the Advisory Committee to the Supreme Court, however, until the Advisory Committee's tentative draft thereof shall have been published in the Advance Sheets of the Supreme Court Reports, one or more public hearings held, criticism from the legal profession and the public invited, received and considered, and the original draft adhered to or revised, as the Advisory Committee may determine.

Sec. 2. Section 20 of Chapter 92 of the Public Laws, Extra Session, 1921, now appearing as Section 1421 (a) of N. C. Code Ann. (Michie, 1935) is hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

THE JUSTICE OF THE PEACE BILLS

A bill to be entitled an Act to provide for the selection of justices of the peace.

The General Assembly of North Carolina do enact:

Sec. 1. That at the general election in 1940, and each fourth year thereafter, there may be elected in each township one justice of the peace; one additional justice of the peace may be elected in each township having a population in excess of five thousand but not exceeding fifteen thousand; and, further, an additional justice of the peace may be elected for each twenty thousand of population (or major fraction thereof) in excess of fifteen thousand population in such township. The population in each township shall be determined upon the basis of the last preceding United States decennial census. The justices of the peace so elected shall hold office for a term of four years from and after the first Monday in December following such election.

Sec. 2. That Section fourteen hundred sixty-seven, Consolidated Statutes (C. S. 1467), is hereby amended as follows: Strike out all of said section after the word "same" in line four and insert in lieu thereof the following: "All elections of justices of the peace, and all appointments of such officers, shall be void unless the persons so selected shall qualify as directed by law. Any vacancy in the office of justice of the peace (whether occasioned by death, resignation, removal, failure to

qualify, or by any other reason or cause whatsoever) shall be filled by appointment of the Clerk of the Superior Court of the county in which such vacancy occurs."

Sec. 3. This act shall not affect the terms of office of justices of the peace in office at the time of its enactment, but after the effective date of this act no justice of the peace shall be selected in any manner otherwise than as herein provided. *Provided*, any Governor, whenever he deems that the public interest will be best served thereby, may appoint, for successive terms, any justice of the peace who was serving under appointment of the Governor as a justice of the peace on January 1, 1939. The Governor shall issue to such justice of the peace so appointed a commission, a certificate of which shall be recorded by the Clerk of the Superior Court of the county within which such justice of the peace is appointed. Any such commission of the Governor shall be revocable by him, or his successor, upon complaint when he shall be satisfied that the public interest will be served by such revocation; a copy of such revocation shall be mailed to the magistrate and to the proper Clerk of the Superior Court, and any attempt of such person thereafter to exercise the powers of a justice of the peace shall constitute a misdemeanor, punishable in the discretion of the Superior Court.

Sec. 4. No justice of the peace may sit in the trial or preliminary hearing of any cause other than within the boundaries of the township for which he was elected or appointed; except that when an action is removed before a justice of the peace of another township, as provided in Consolidated Statutes, Sections 1498 and 1499, such justice may try such action in his own township or in the township in which the action was brought. The violation of this section shall constitute a misdemeanor triable only in the Superior Court; and in addition to the usual punishment provided by law in the case of misdemeanors, the judge presiding over the Superior Court, in the order or judgment signed in the cause, may, in his discretion, remove such justice from office. *Provided*, no judicial act performed by a justice of the peace outside his township shall be declared invalid by reason of the provisions of this section.

Sec. 5. Consolidated Statutes, Sections fourteen hundred sixty-three (C. S. 1463), fourteen hundred sixty-four (C. S. 1464), fourteen hundred sixty-five (C. S. 1465), fourteen hundred sixty-six (C. S. 1466), and fourteen hundred sixty-eight (C. S. 1468), all as amended; and Public Laws, 1927, Chapter 116; 1929, Chapter 211; 1931, Chapter 256; 1937, Chapter 113 (with the sections of the Consolidated Statutes hereinabove listed), are hereby repealed, together with any and all laws or parts of laws, whether public, public-local, private, or special, in any manner inconsistent with the provisions of this act.

Sec. 6. This act shall take effect from and after the date of its ratification.

A bill to be entitled an Act to provide for the compensation of justices of the peace inCounty.

The General Assembly of North Carolina do enact:

Sec. 1. That upon the ratification of this Act, the Clerk of the Superior Court forCounty shall from the records of his office prepare a list of all qualified justices of the peace in said county, said list to designate for each magistrate so named the manner of his selection, the township for which selected, the length of his term, and the expiration date of such term; that within thirty (30) days after the ratification of this Act said Clerk shall file said list with the Clerk to the Board of County Commissioners for said County; and that said Clerk to the Board shall present said list together with a copy of this Act to the next meeting of said Board following the filing of said list.

Sec. 2. That, effective from and after the first day of July next succeeding, said Board of County Commissioners shall designate that the qualified justices of the peace of any one or more townships within the county shall be compensated by salaries in lieu of fees; provided, all justices of the peace within a given township shall be compensated in the same manner, that is either by salaries or by fees, and if by salaries each justice of the peace within the designated township shall receive the same salary as all other justices of the peace within such township. Said Board shall fix the annual salaries to be paid the justices of the peace within each designated township and no such salary in any case shall be less than \$..... nor more than \$..... Said salaries so fixed shall be paid in monthly instalments from the general fund of said County. Said salaries so fixed shall constitute the sole compensation of such justices of the peace for all duties performed in connection with or in anywise related to criminal or civil actions or proceedings in any court of a justice of the peace, but shall be exclusive of marriage, affidavit and probate fees paid such justices of the peace. All justices of the peace not compensated by salaries shall be entitled to any and all costs and fees earned by them in the manner and amount now prescribed by law.

Sec. 3. Each justice of the peace compensated by salary as herein provided shall assess and collect all costs, fees, fines, penalties, forfeitures and other moneys as now prescribed by law. He shall pay to the county treasurer, or other proper officer, for each month, within the first ten days of the next successive month, all costs and fees for services

rendered by the justice of the peace (exclusive of any sums received for performing marriages, or taking affidavits, acknowledgments, or probates), and all fines, forfeitures, penalties, and other moneys belonging to the county which he may have collected in the performance of his official duties, and shall at the same time file a verified and itemized account thereof. Such officer before receiving the same for filing shall make a detailed audit of the account and shall endorse thereon his approval or refusal of the account; to the end that such officer may verify any such account he may, upon written notice, compel the production at his office of the dockets, records, and official papers of such justice of the peace. All receipt stubs, dockets, records, and accounts of such salaried justices of the peace shall be audited in the same manner as is or may be provided by law for the auditing of the office of the Clerk of the Superior Court of said County. All moneys paid the county treasurer or other officer as herein provided shall go into the general fund unless otherwise provided by law. Any justice of the peace who violates any provision of this section shall be subject to the penalties, punishments, and forfeitures provided by Consolidated Statutes, Sections 1315, 4268, 4398, and 4870, and amendments thereto, and by such other provisions as are or may be made applicable to similar offenses on the part of any public officer.

Sec. 4. Every justice of the peace compensated by salary as provided herein shall, prior to the date of accrual of the first monthly salary instalment, present to the Board of County Commissioners a justified surety bond, payable to the State, conditioned that he will faithfully discharge all duties of his office and will pay over, as required by law, all moneys which shall come into his hands as justice of the peace. The term of such bond shall in no event exceed two years, and the sum of said bond shall not be less than the total of six months salary. The bond shall be signed by a duly qualified and licensed corporate bonding company as surety; *provided*, in lieu of such corporate surety bond a bond signed and justified by three individual sureties, approved by the Board, may be given. The bond when approved shall be recorded by the Registrar of Deeds, and indexed, in the Record of Official Bonds, and the original bond shall be filed with the Clerk of the Superior Court for safekeeping.

Sec. 5. This Act shall take effect from and after the date of its ratification.

Treasurer's Report

Statement of receipts and disbursements of the North Carolina State Bar for the period October 20, 1937, to October 26, 1938.

Receipts

| | |
|---|-------------------|
| October 20, 1937, active balance in First Citizens Bank and Trust Co., Raleigh..... | \$ 477.08 |
| Dues @ \$3.00 for 1933 from 2 members..... | 6.00 |
| Dues @ \$3.00 for 1934 from 28 members..... | 84.00 |
| Dues @ \$3.00 for 1935 from 63 members..... | 189.00 |
| Dues @ \$3.00 for 1936 from 161 members..... | 483.00 |
| Dues @ \$3.00 for 1937 from 356 members..... | 1,068.00 |
| Dues @ \$3.00 for 1938 from 1,636 members..... | 4,908.00 |
| Dues @ \$3.00 for 1939 from 4 members..... | 12.00 |
| 916 subscriptions to N. C. LAW REVIEW..... | 916.00 |
| Interest paid by banks on Time Certificates..... | 32.34 |
| Transfer from Savings to Active Account..... | 1,500.00 |
| (Leaving \$500 in 2 per cent Time Certificate) | |
| Overpayment of dues | 3.00 |
| Payment of bad check charged off..... | 3.00 |
| Total Receipts | \$9,681.42 |

Disbursements

| | |
|--|-------------------|
| Postage (\$535.71)—printing (\$147.75)—supplies (\$12.38) .. | \$ 695.84 |
| Expenses 1937 annual meeting, Raleigh | 147.28 |
| Reporting annual meeting | 35.02 |
| Reporting four Council Meetings..... | 60.35 |
| Expenses Councillors | 1,622.65 |
| Expenses Trial Committees | 181.75 |
| Stenographic Reporting Disbarment Cases | 391.21 |
| Attorneys in disbarment cases | 1,025.56 |
| Expenses Unauthorized Practice Committee | 36.45 |
| Expenses Executive Committee | 99.25 |
| Expenses Grievance Committee | 70.00 |
| Expenses meeting Board Law Examiners..... | 19.30 |
| Salary Secretary-Treasurer | 1,200.00 |
| Clerical help for Secretary-Treasurer..... | 600.00 |
| Premium on Treasurer's Bond (2 years)..... | 25.00 |
| Expenses Investigator | 840.52 |
| Telegrams (\$7.65)—Rubber Stamps (\$3.00) | 10.65 |
| Mimeographing minutes Council | 16.50 |
| LAW REVIEW Subscriptions | 916.00 |
| Expenses in disbarment Trials | 148.37 |
| Edwards & Broughton, printing & mailing Proceedings..... | 736.31 |
| Refund overpaid dues | 3.00 |
| Bank charges and tax | 1.52 |
| Total Disbursements | \$8,882.53 |
| Less bad check..... | \$ 798.89 |
| | 16.00 |

| | |
|---|-------------------|
| October 26, 1938, Balance First Citizens Bank and Trust Co., Active Account | \$ 782.89 |
| Two per cent Time Certificate First Citizens Bank and Trust Co. | 500.00 |
| Total Balance Oct. 26, 1938..... | \$1,282.89 |

HENRY M. LONDON, *Treasurer.*

Examined and found correct as stated above:

JESSE F. MILLIKEN,
A. T. GRANT,
J. D. GRIMES,
For Executive Committee.