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THE NORTH CAROLINA STATE BAR

Meeting of the Council of the North Carolina State Bar January 18, 1952

The regular quarterly meeting of the Council of the North Carolina State Bar was held in Raleigh on January 18, 1952, with the following officers and members present:

Officers:

L. J. Poisson, President, Wilmington
Don A. Walser, First Vice President, Lexington
Z. V. Norman, Second Vice President, Plymouth
E. L. Cannon, Secretary-Treasurer, Raleigh

Councillors:

Julius Banzet, Third District, Warrenton
I. R. Williams, Fourth District, Dunn
James B. Swails, Eighth District, Wilmington
R. P. Reade, Tenth District, Durham
G. H. Hastings, Eleventh District, Winston-Salem
Arch K. Schoch, Twelfth District, High Point
Jennings G. King, Thirteenth District, Laurinburg
J. Spencer Bell, Fourteenth District, Charlotte
H. M. Robins, Fifteenth District, Asheboro
B. F. Williams, Sixteenth District, Lenoir
W. H. McElwee, Seventeenth District, North Wilkesboro
R. W. Proctor, Eighteenth District, Marion
Edwin B. Whitaker, Twentieth District, Bryson City.

The meeting was called to order by the President, L. J. Poisson. The President introduced Mr. J. B. Swails of Wilmington, duly elected Councillor from the Eighth District, succeeding Mr. Thomas W. Davis, deceased. The President advised the Council that Mr. John C. Cheesborough of Asheville had been elected to succeed Mr. Kester Walton from the Nineteenth District. Mr. Cheesborough was unable to attend the meeting due to illness in his family.

The President called the attention of the Council to the services of Mr. Thomas W. Davis to the Bar of the State and designated the following committee to prepare memorial to Mr. Davis: J. B. Swails, Chairman, G. H. Hastings and R. W. Proctor.

The President called for the minutes of the October meeting which were read by the Secretary and approved as read. The President suggested that there should be some codification of rulings of the Ethics and Unauthorized Practice committees and following discussion, the Secre-

tary was instructed to investigate details of preparing codification of rulings of these committees and to advise the Council at the April meeting relative thereto.

The President called the attention of the Council to his recommendations for committees for 1952. Following discussion and motion, the following committees were duly elected by the Council for the year 1952:

Recommendations for Committees—1952

Ethics Committee

Albion Dunn, Chairman, Greenville
J. B. Swails, Wilmington
B. F. Williams, Lenoir
H. M. Robins, Asheboro
P. W. Glidewell, Sr., Reidsville

Executive Committee

P. W. Glidewell, Sr., Chairman, Reidsville
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

Legislative Committee

R. W. Proctor, Chairman, Marion
Edwin B. Whitaker, Bryson City
Arch K. Schoch, High Point
W. H. McElwee, North Wilkesboro
John C. Cheesborough, Asheville
(Seventh District)

War Work Committee

W. H. McElwee, North Wilkesboro
R. W. Proctor, Marion
Arch K. Schoch, High Point

Membership Committee

J. D. Grimes, Chairman, Washington
Edwin B. Whitaker, Bryson City
Dickson McLean, Lumberton
Arch K. Schoch, High Point
H. M. Robins, Asheboro
J. G. King, Laurinburg
John C. Cheesborough, Asheville

Unauthorized Practice Committee

G. H. Hastings, Chairman, Winston-Salem
P. W. Glidewell, Sr., Reidsville
R. P. Reade, Durham
J. G. King, Laurinburg
J. Spencer Bell, Charlotte
I. R. Williams, Dunn
Dickson McLean, Lumberton

Committee to Confer with Trust Companies

H. M. Robins, Chairman, Asheboro
Albion Dunn, Greenville
J. B. Swails, Wilmington
J. E. Banzet, Warrenton
J. D. Grimes, Washington
(Second District)

Committee on Dues

J. E. Banzet, Chairman, Warrenton
Z. V. Norman, Plymouth
John C. Cheesborough, Asheville
Don A. Walser, Lexington

The Secretary advised that there were vacancies on the Council from the Second and Seventh Districts. It was reported that the Second District would elect Councillor at its forthcoming meeting.

The Council following discussion agreed to continue their meeting until adjournment without any recess.

The report of the Ethics Committee was delayed until conference by members of that Committee.

The President called for the report of the Executive Committee which was made by R. W. Proctor. The Committee reported that it had checked the receipts and disbursements for the quarter ending December 31 and found the same to be correct. The Committee further reported that in the light of the memorandum of the Secretary they recommended the adoption of the recommendation of the Board of Law Examiners to have the Legislative Committee of the Council seek an amendment to the State Bar Act increasing the fee to applicants for admission to practice from \$23.50 to \$40.00. The Committee further recommended acceptance of the action of the Board of Law Examiners turning over to the State Bar the sum of \$100.00 per month for the payment of any salaries and clerical and office expenses. The Committee further recommended that they receive as information notice of the Board relative to possible changes in required and optional subjects now listed by the rules of the Board. Upon recommendation of the Committee that the specific items and memorandum of the Secretary be adopted together with financial report, motion was made that the report of the Executive Committee be adopted and the same was duly carried.

The report of the Legislative Committee was made by the President and the same requested that the Council approve the present bills now pending in the Congress allowing attorneys and other professional men to be allowed to appropriate, tax free for retirement purposes, funds to be applied to pensions and that Congressional delegation from this State be urged to support passage of such bills now pending in the Congress. Motion was adopted and the President designated Mr. J. Spencer Bell to prepare proper resolution to be addressed to Congressional delegation from this State.

Mr. Schoch made the report for the Membership Committee and recommended that the petition of W. D. Langston of Goldsboro be approved. The recommendation was adopted. It was further recommended that the communication of Graham F. Trott be continued and the secretary instructed to advise him to file formal petition. The recommendation was adopted.

Mr. J. G. King made the report for the Unauthorized Practice Committee, with the following recommendations: 1. G. S. Oldham, Justice of the Peace, Durham—The Committee recommended that the Secretary file and proceed in the necessary manner for orders enjoining said Oldham from engaging in the practice of law. The recommendation of the Committee was adopted. 2. The Committee recommended that the President appoint a committee to meet with the Utilities Commission to the end that satisfactory arrangements and rules might be adopted relative to appearance of laymen and unlicensed attorneys in this State in appearances before the Utilities Commission eliminating their appearances before the Utilities Commission. Motion was made that the recommendation be amended to provide for the appointment of special committee for the ensuing year to handle this matter and the recommendation as amended was adopted. The President proceeded to appoint Messrs. Norman, Reade, Bell, Hastings and McElwee as a special committee for this purpose. 3. The Committee recommended that communication of M. V. Barnhill, Jr., relative to lay practices by labor unions be continued. Following discussion motion was made that this problem be referred to the special committee appointed to consider the matters before the Utilities Commission. Motion was adopted. The President referred this matter to the special committee appointed. 4. The Committee recommended that in connection with E. A. Palmgren and Associates, Certified Public Accountants of Charlotte, that the local committee in Charlotte be requested to advise as to further cases handled by this organization and to report to the Council for further investigation. Following discussion this recommendation of the Committee was amended to provide that the Secretary confer with the Charlotte Committee and secure such information as was available and might be necessary. 5. The

Committee recommended no action in connection with the inquiry from Washington relative to the apparently now discontinued activities of the Bank of Washington. 6. The Committee called attention to memorandum concerning the National Conference of Attorneys and Certified Public Accountants and recommended that the President appoint a special committee of five members of the Bar to confer with five members of the Certified Public Accountants Association for the purpose of ironing out differences between the legal profession and Certified Public Accountants. Following considerable discussion the following motion was made: That the President confer with the President of the C.P.A.'s in order to effect appointment of committee with authority to act subject to the approval and action of the State Bar Council in dealing with complaints and abuses which might arise in connection with the unauthorized practice of law. The motion was adopted.

The President called for the report of the Grievance Committee which was made by Mr. R. P. Reade, Chairman. The Committee made various recommendations adopted by the Council.

The President called for the report of the Ethics Committee made by Mr. Robins in the absence of the Chairman as follows. 1. Inquiry of attorney inquiring as to Canon D relative to appearance of Vice Recorder in criminal courts of the county in which he resides. The Committee recommended that in their opinion, the opinion of the Chairman was correct finding that such appearance would be improper. The recommendation of the Committee was adopted. The Council also found that necessarily the appearance of a Vice Recorder in the court in which he was Vice Recorder would be improper.

2. Inquiry of attorney as to propriety of his father appearing in Records Court over which he appeared as Solicitor when there was no partnership arrangement between inquirer and his said father. Letter of the Chairman advising that in his opinion the same would not be improper and upon recommendation of the Committee to adopt the Chairman's opinion, the same was duly adopted by the Council.

3. Inquiry of attorney inquiring as to propriety of appearances in courts of his county when he was Judge Pro Tem of Municipal Court having both civil and criminal jurisdiction, the Committee recommended adoption of the letter of the Chairman indicating it would be improper for the inquirer to practice in any criminal courts in his county while holding the office of Judge Pro Tem. The recommendation was adopted. Upon motion duly adopted, the Council further advised that it was their opinion that it would be improper for the said Judge Pro Tem to appear in his own court in any civil action.

4. Inquiry of attorney inquiring as to propriety of using an advertisement in newspapers as to his representation of insurance company and farm

loans available through said attorney. The Committee recommended the adoption of the Chairman's advice to the effect that such advertisements would be improper and the recommendation was unanimously adopted.

5. Inquiry of attorney as to the propriety of announcement as to removal of his law offices from one address to another. The Committee recommended adoption of the notice of the Chairman advising that such notice of office removal would not be improper. The recommendation of the Committee was adopted. The Committee recommended the adoption of the following as approved law lists for the North Carolina State Bar until such time as such approval might be withdrawn. (See attached list.) The list as recommended by the Committee was duly adopted.

The Council adjourned at 3 P.M.

Commercial Law Lists

A. C. A. List (October, 1951-1952 Edition)

Associated Commercial Attorneys List

165 Broadway

New York City 6

American Lawyers Quarterly

The American Lawyers Company

1712 N.B.C. Building

Cleveland 14, Ohio

B.A. Law List

The B.A. Law List Company

161 West Wisconsin Avenue

Milwaukee 3, Wisconsin

Clearing House Quarterly

Attorneys National Clearing House Co.

1645 Hennepin Avenue

Minneapolis 3, Minnesota

The Columbia List

The Columbia Director Company, Inc.

320 Broadway

New York City 7

The Commercial Bar

The Commercial Bar, Inc.

521 Fifth Avenue

New York City 17

C-R-C Attorney Directory

The C-R-C Law List Company, Inc.

50 Church Street

New York City 7

Forwarders List of Attorneys

Forwarders List Company

38 South Dearborn Street

Chicago 3, Illinois

The General Bar

The General Bar, Inc.
36 West 44th Street
New York City 18

International Lawyers Law List

International Lawyers Company, Inc.
33 West 42nd Street
New York City 18

The National List

The National List, Inc.
75 West Street
New York City 6

Rand McNally List of Bank Recommended Attorneys

Rand McNally & Company
536 South Clark Street
Chicago 5, Illinois

Wright-Holmes Law List

Wright-Holmes Corporation
225 West 34th Street
New York City 1

General Legal Directory**Martindale-Hubbell Law Directory**

Martindale-Hubbell, Inc.
One Prospect Street
Summit 1, New Jersey

General Law Lists**American Bank Attorneys**

American Bank Attorneys
18 Brattle Street
Cambridge 38, Massachusetts

The American Bar

The James C. Fife Company
121 West Franklin
Minneapolis 4, Minnesota

The Bar Register

The Bar Register Company, Inc.
One Prospect Street
Summit 1, New Jersey

Campbell's List

Campbell's List, Inc.
905 Orange Avenue
Winter Park, Florida

Corporation & Administrative Lawyers Directory

Central Guarantee Company, Inc.
141 Jackson Boulevard
Chicago 4, Illinois

International Trial Lawyers
Central Guarantee Company, Inc.
141 West Jackson Boulevard
Chicago 4, Illinois

The Lawyers Directory
The Lawyers Directory, Inc.
916-917 Union Central Building
Cincinnati, Ohio

The Lawyers' List
Law List Publishing Company
111 Fifth Avenue
New York City 3

Russell Law List
Russell Law List
10 East 40th Street
New York City 16

Insurance Law Lists

Best's Recommended Insurance Attorneys
Alfred M. Best Company, Inc.
75 Fulton Street
New York City 7

The Insurance Bar
The Bar List Publishing Company
State Bank Building
Evanston, Illinois

The Underwriters List
Underwriters List Publishing Company
519 Main Street
Cincinnati, Ohio

Probate Law Lists

Recommended Probate Counsel
Central Guarantee Company, Inc.
141 West Jackson Boulevard
Chicago 4, Illinois

Sullivan's Probate Directory
Sullivan's Probate Directory, Inc.
84 Cherry Street
Galesburg, Illinois

State Legal Directories

The following state legal directories published by
The Legal Directories Publishing Company
1072 Gayley Avenue
Los Angeles 24, California

Delaware-Maryland-New Jersey Legal Directory
Florida-Georgia Legal Directory
Illinois Legal Directory
Indiana Legal Directory

Iowa Legal Directory

Kansas Legal Directory

Missouri Legal Directory

Mountain States Legal Directory (for the States of Colorado, Idaho,
Montana, New Mexico, Utah and Wyoming)

Ohio Legal Directory

Oklahoma Legal Directory

Pacific Coast Legal Directory (for the States of Arizona, California,
Nevada, Oregon and Washington)

Pennsylvania Legal Directory

Texas Legal Directory

Wisconsin Legal Directory

Foreign Law Lists

Canadian Credit Men's Commercial Law and
Legal Directory

Canadian Credit Men's Trust Association, Ltd.
456 Main Street
Winnipeg, Manitoba, Canada

Canadian Law List

Cartwright & Sons, Ltd.
24 Adelaide Street, East
Toronto, Ontario, Canada

Empire Law List

Butterworth & Co. (Publishers) Ltd.
4, 5 & 6 Bell Yard, Temple Bar
London, W. C. 2, England

The International Law List

L. Corper-Mordaunt & Company
Pitman House
Parker Street
London, W. C. 2, England

Kime's International Law Directory

Kime's International Law Directory, Ltd.
4 New Zealand Avenue
London, E. C. 1, England

