

**PROCEEDINGS OF THE TWENTY-SECOND
ANNUAL CONFERENCE OF
COMMISSIONERS ON
UNIFORM STATE LAWS, HELD AT
MILWAUKEE, WISCONSIN, AUGUST 21,
22, 23, 24 AND 26, 1912**

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PROCEEDINGS
OF THE
TWENTY-SECOND ANNUAL CONFERENCE
OF
Commissioners on Uniform State Laws

HELD AT
MILWAUKEE, WISCONSIN,
August 21, 22, 23, 24 and 26, 1912.

OFFICERS OF THE CONFERENCE
1912-1913.

- CHARLES THADDEUS TERRY, *President*,
100 Broadway, New York, New York.
- JOHN HINKLEY, *Vice-President*,
215 N. Charles St., Baltimore, Maryland.
- TALCOTT H. RUSSELL, *Treasurer*,
42 Church Street, New Haven, Connecticut.
- CLARENCE N. WOOLLEY, *Secretary*,
308 Main Street, Pawtucket, Rhode Island.

MEMORANDUM.

The Conference of Commissioners on Uniform State Laws is made up of Commissioners appointed by the Governors of the different states, meeting in conference and organizing themselves into a national body for the better accomplishment of the work for which its members were appointed by the states. The Commissioners, usually three from each state, are appointed under laws of the respective states creating them, usually for five years, with authority to confer with the Commissioners of the other states and recommend forms of bills or measures to bring about uniformity of laws in the execution and proofs of deeds and

wills, in the laws of bills and notes, marriage and divorce and other subjects where such uniformity seems practicable and desirable. The officers of the Conference consist of a President, Vice-President, Secretary and Treasurer, elected annually. Twenty-two Conferences have so far been held; the first at Saratoga for three days, beginning August 24, 1892, and the twenty-second at Milwaukee, Wisconsin, August 21, 22, 23, 24 and 26, 1912.

A complete list of the Commissioners of the several states with standing and special committees will be found in the following pages.

The time of the Twenty-second Conference was largely taken up in the consideration of the proposed amendments to the Negotiable Instruments Law, the draft of an act on the subject of Marriages in Another State or Country in Evasion or Violation of the Laws of the State of Domicile, the third tentative draft of an act to make uniform the Law of the Incorporation of Business Corporations, the draft of a Workmen's Compensation Act, the discussion of the Uniform Partnership Act, the Torrens System of the Registration of Land Titles, and the Report of the Committee on the Situs of Real and Personal Property for Purposes of Taxation.

The proposed amendments to the Negotiable Instruments Law were recommitted to the Committee on Commercial Law for further consideration and report next year.

The draft of an Act Relating to and Declaring Void Marriages in Another State or Country in Evasion or Violation of the Laws of Domicile was finally approved by the Conference.

The third tentative draft of an act to make uniform the Law of the Incorporation of Business Corporations was considered at length and recommitted to the Committee on Uniform Incorporation Law for further consideration.

The draft of a Uniform Partnership Act was recommitted to the Committee on Commercial Law with directions to report at the next meeting of the Conference; and that the committee be further authorized, in its discretion, to prepare and report a Uniform Limited Partnership Act.

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The Compulsory Workmen's Compensation Act offered by the Special Committee on Compensation for Industrial Accidents was approved tentatively and the committee continued.

The report of the Committee on the Situs of Real and Personal Property for the Purposes of Taxation was discussed at length, and received, and the committee continued with instructions to give further consideration to the subject, and to report at the next Conference.

SECRETARY'S NOTICE.

In accordance with the Constitution and By-laws adopted by this Conference, the Commissioners will please advise the Secretary of the date of their appointment, specifying the law or authority under which the appointment was made and the duration of their term of office; also of any changes in the personnel of the respective state commissions.

The Conference earnestly urges upon the legislatures of the several states, as well as upon their Commissioners, the importance of introducing at the next sessions of such legislatures, all of the bills recommended by the Conference which have not yet been passed, and the Secretary would ask members to communicate with him whenever such bills are introduced.

In case the list of Commissioners as printed in this report is not correct, or any changes are made subsequently, the Secretary should be notified at once.

Extra copies of this report and such previous reports as are extant may be obtained on application to the President or the Secretary.

CONSTITUTION AND BY-LAWS
OF THE
Commissioners on Uniform State Laws

CONSTITUTION

ARTICLE I.

Name and Object.

SECTION 1. This Conference or Association of Commissioners shall be known as "Commissioners on Uniform State Laws."

SEC. 2. Its object shall be to promote uniformity of state laws by affording the Commissioners on Uniform State Laws, appointed in the different states of the United States of America, an opportunity of meeting in Annual Conference for the better accomplishment of the work for which they were appointed.

ARTICLE II.

Membership.

SECTION 1. Its members shall consist of the Commissioners appointed under the laws or by the authority of the respective states of the United States of America to bring about uniformity of state laws, whose commissions give them authority to confer with Commissioners of the other states of said United States.

SEC. 2. Each Commissioner, upon his first attendance at an Annual National Conference of Commissioners and on his re-appointment, shall file with the Secretary of the Conference the date of his commission, a statement of the term for which he is appointed and a reference to the Act of Assembly or other authority under which he has been appointed a Commissioner.

ARTICLE III.

Officers and Committees.

SECTION 1. The following officers shall be elected at each Annual Conference for the year ensuing:

A President, Vice-President, Treasurer, Secretary, and an Executive Committee shall be constituted which shall consist of the President, the last preceding President,¹ Vice-President, Treasurer and Secretary,² all of whom shall be *ex officio* members, together with five other members to be appointed by the President, and after the year 1908 no person shall be elected President for more than three successive terms.³

SEC. 2. The following committees shall be annually appointed by the President, for the year ensuing, and shall consist of seven members each:

1. Executive.
2. Commercial Law.
3. Wills, Descent and Distribution.
4. Marriage and Divorce.
5. Conveyances.
6. Depositions and Proof of Statutes of other States.
7. Insurance.
8. Congressional Action.
9. Appointment of New Commissioners.
10. Purity of Articles of Commerce.
11. Uniform Incorporation Law.
12. The Torrens System and Registration of Title to Land.
13. Banks and Banking.⁴
14. Publicity.

A majority of those members of any committee who may be present at any Annual Conference shall constitute a quorum of such committee for the purposes of such Conference.

¹ Amendment adopted in 1908.

² Amendment adopted in 1909.

³ Amendment adopted in 1908.

⁴ Amendment adopted in 1906.

ARTICLE IV.

Duties of Members.

SECTION 1. It shall be the duty of the Commissioners from each state, at least thirty days before each Annual Conference, to report to the Chairman of the Executive Committee the enactment of any laws or the filing of any judicial decisions in the state from which they are appointed, upon the subject of uniform legislation in the United States.

SEC. 2. It shall be the duty of the Commissioners from each state to attend the Annual Conference of the Commissioners from the various states, or to arrange before each Annual Conference for the attendance of at least one Commissioner from their state at such Annual Conference.

SEC. 3. It shall be the duty of the Commissioners from each state to report to the President of the National Conference the death or resignation of any Commissioner from their state.

SEC. 4. It shall be the duty of the Commissioners from each state to endeavor to secure from the legislature of their state an appropriation toward defraying the annual expenses of the National Conference of Commissioners.

SEC. 5. It shall be the duty of the Commissioners from each state to file with the President, Secretary and members of the Executive Committee a copy of their reports to the Governor or legislature of their respective states.

ARTICLE V.

By-laws.

By-laws may be adopted, repealed or amended at any Annual Conference of Commissioners by a majority of the Commissioners present.

ARTICLE VI.

Annual Address.

The President shall open each Annual Conference with an address, in which he shall communicate such changes in the statute laws of each state as tend to promote uniformity of legis-

lation in the United States, and also any matters of interest concerning subjects of legislation, as to which uniformity may seem practicable and desirable, as well as any matters of general interest relating to the work and aims of the Conference. The topics referred to in the President's Annual Address relating to subjects pertinent to the work of this Conference, with his recommendations thereon, shall be referred to the appropriate committee or special committees of the Conference, and each committee shall report at the next Conference upon such matters so referred.

ARTICLE VII.

Annual Conference.

The Annual Conference of Commissioners shall be held yearly at such time and place as shall be selected by the members of the Executive Committee, and those Commissioners present at each daily session of such Conference shall constitute a quorum.

ARTICLE VIII.

Amendments.

This Constitution may be altered or amended by a two-thirds vote of the Commissioners present at any Annual Conference; but no such change shall be made at any Conference at which less than fifteen Commissioners are present.

ARTICLE IX.

Construction.

The word "state," whenever used in this Constitution, shall be deemed to be equivalent to state, territory or district, or insular possession of the United States of America.

ARTICLE X.

Privileges at Conference.

The members of the Committee on Uniform State Laws of the American Bar Association shall be privileged to attend the Annual Conference of Commissioners and to participate in the discussions of the Conference, but without the right to vote.