

**REPORT OF THE SIXTH ANNUAL
MEETING OF THE NORTH
CAROLINA BAR ASSOCIATION,
JUNE 20, 21, 22, 1904**

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by Various

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OF THE
SIXTH ANNUAL MEETING
OF THE
North Carolina
BAR ASSOCIATION

HELD AT
THE COLONIAL CLUB, CHARLOTTE, N. C.,
JUNE 20, 21, 22, 1904.

EDITED BY
J. CRAWFORD BIGGS, SECRETARY,
OF THE DURHAM BAR.

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HAMILTON C. JONES
PRESIDENT 1804
DIED AUGUST 22, 1804

PROCEEDINGS
OF THE
SIXTH ANNUAL MEETING
OF THE
North Carolina Bar Association,
HELD AT THE COLONIAL CLUB,
CHARLOTTE, N. C.,
June 20, 21, 22, 1904.

MONDAY, June 20, 1904.

The Sixth Annual Meeting of the North Carolina Bar Association convened at the Colonial Club in the City of Charlotte, Monday, June 20, 1904.

The Association was called to order at 8:30 o'clock, p. m., by Mr. F. A. Woodard, of Wilson, Chairman of the Executive Committee, who said :

Gentlemen of the North Carolina Bar Association, and Ladies:

I have the honor and pleasure as Chairman of the Executive Committee of the North Carolina Bar Association, to call to order this, the Sixth Annual Session of the Association. This pleasure is enhanced by the fact that we meet in the beautiful and historic city of Charlotte, the home of a Bar who, from the date of the organization of the Association to this good hour, has manifested an abiding interest in its growth and progress. From your number we selected our first president, now an honored member of our Supreme Court.

His able address has been the chart by which the Association

has advanced to its present prosperous condition and will be the inspiration for its future.

The Address of Welcome was prepared by a talented member of the Charlotte Bar—Mr. Chase Brenizer—and we share with him the sorrow of his home which prevents his presence tonight. I have the pleasure of introducing Mr. Smith, who will read the address prepared by Mr. Brenizer.

Mr. B. D. Smith then read the address of welcome.

(See the Appendix).

MR. A. WOODARD, of Wilson. With grateful appreciation of the splendid address of welcome, I now have the honor of presenting Judge Robert W. Winston, of the City of Durham, who will respond to the address on behalf of the Association.

Mr. Robt. W. Winston delivered his response.

(See the Appendix).

MR. WOODARD. I have the pleasure of introducing the President of the Association, Hon. W. D. Pruden, of Edenton.

MR. W. D. PRUDEN, of Edenton.

Members of the Bar Association, Ladies and Gentlemen:

I regret very much that I am unable upon this occasion to make a speech, which is expected and which the Constitution and By-Laws require. I have myself derived such great pleasure and profit, and with all, have received such high honors at the hands of this Association, that I should be glad to present to them such a speech as would show my appreciation of these honors, but because of my feeble condition for the last six months, that has been impossible, and I am here today with the understanding that I shall not be required to present any remarks upon this occasion. I am very happy to know that the Association will lose nothing on that account, judging from the speeches already made, and from my knowledge of those in store, I am sure we will be sufficiently entertained.

With these remarks, which I thought it proper to make, I pronounce this meeting open for the transaction of business.

Some of the Committees are required to be appointed tonight in order that the transaction of business may go on properly. The first committee that will be announced is the committee on the Nomination of Officers. Under our By-Laws, all the Officers except that of President and Secretary are selected by that Committee, and I will appoint upon that Committee; Messrs. L. H. Clement, of Salisbury; W. C. Maxwell, of Charlotte; B. G. Crisp, of Manteo; J. L. Fleming, of Greenville, and J. C. Martin, of Asheville.

Another Committee also is required by the By-Laws to be appointed tonight, the Committee on Publications. I name upon that Committee Messrs. Thos. S. Kenan, of Raleigh; W. C. Hammer, of Asheboro; T. W. Davis, of Wilmington.

THE PRESIDENT. The Committee on Admissions to Membership will make their report in order that the names of the newly elected members may be enrolled.

A MEMBER. Mr. President, I think the Committee is in session down stairs now.

THE PRESIDENT.

Gentlemen of the Bar Association, Ladies and Gentlemen:

We have with us tonight the Honorable Robert C. Strudwick, who for a number of years lived in another State, but has returned to his native State.

He will now address the Association.

Mr. Robert C. Strudwick then delivered his address.

(See the Appendix).

THE PRESIDENT. Is the Committee on Admissions to Membership ready to report?

MR. WALTER MURPHY, of Salisbury. The Committee on Admissions to Membership makes the following report.

(See the Report at the end of the Minutes).

THE PRESIDENT. Now, we would like to have the report of the Executive Committee.

MR. WOODARD. We will present that in the morning.

THE PRESIDENT. The Chairman of the Committee asks that they be allowed until morning to present their report. I take it there is no objection to this. The Chair is ready for any other business that may be suggested.

MR. B. G. CRISP, of Manteo. At Asheville year before last it was suggested by Mr. Busbee that a matter be referred to a Committee, or that a Committee be appointed. I have a very indistinct recollection of it. With reference to the admission of applicants for the practice of law, and I understand that there was to be an effort made to get the last Legislature to pass an act along this line. There was something said about it at the meeting at Morehead City last year, and I would like to inquire what is the present status of that matter? And, if necessary, I would like to make a motion that action be taken on it. While I cannot speak for the members of the Supreme Court, I have no doubt but that they would be glad to be relieved of their duties.

THE SECRETARY. The matter that Mr. Crisp refers to was referred to the Committee on Legislation and Law Reform at the last meeting of the Association. Judge Womack is the Chairman of that Committee. My information is that he will be here, and my suggestion is that it be postponed until he arrives. Mr. Manly is a member of that Committee.

MR. CRISP. I am perfectly willing for it to go over.

THE PRESIDENT. Unless there is objection the matter will go over until later.

MR. C. W. TILLET, of Charlotte. I have a resolution.

Resolved, That the North Carolina Bar Association does hereby recommend that the General Assembly of North Carolina enact a law in substance as follows:

"SECTION 1. A married woman may contract to the same extent, with like effect and in the same form as if unmarried,

and she and her separate estate shall be liable thereon, whether such contract relates to her separate business or estate or otherwise, and in no case shall a charge upon her separate estate be necessary.

"SEC. 2. Provided that this act shall not apply to any contract that shall be made between husband and wife.

"SEC 3. Justices of the Peace shall have jurisdiction of actions to enforce contracts of married women wherein the sum demanded does not exceed two hundred dollars (\$200).

I wish to have that referred to the proper committee.

THE PRESIDENT. The Committee on Legislation and Law Reform.

MR. TILLET. It may be that the members of the Bar Association have not read the able opinion of Mr. Justice Walker, in which it is held that a married woman may transfer her personal property. I would like to have that matter go before the Committee.

THE SECRETARY. I find there is only one member of the Committee on Legislation and Law Reform, to which you referred these matters, present at this time. The Committee is composed of Messrs. Womack, Manly, London, Rollins and McIntyre. It would be well to supplement that Committee.

MR. CLEMENT MANLY, of Winston. Mr. President, with reference to that Committee, Mr. Womack is not here tonight, but I presume he will get in tonight. That Committee has in charge several matters which were referred to it at our last annual meeting. There is now a Code Commission, who are preparing the Code for presentation to the next General Assembly. Mr. Womack is the Chairman of that Commission, so that whatever legislation is proposed to be effected, would be best discussed in this meeting, and presented to that Commission. I know that my brethren have some important questions which they would like to have presented: Exemption from Jury Service, and other matters pertaining to Jury Service. I think the matter ought to be taken up at this meeting of the Association. I merely rise to call your atten-