

**PROCEEDINGS OF THE TWENTIETH
ANNUAL CONFERENCE OF
COMMISSIONERS ON UNIFORM
STATE LAWS**

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Proceedings of the Twentieth Annual Conference of Commissioners on Uniform State Laws by
Commissioners on Uniform State Laws Conference

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COMMISSIONERS ON UNIFORM STATE LAWS CONFERENCE

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ANNUAL CONFERENCE OF
COMMISSIONERS ON UNIFORM
STATE LAWS**

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Wm. H. Hallenberry
PROCEEDINGS

Act
21 July
07

of the

Twentieth Annual Conference

of

**Commissioners
On Uniform State Laws**

held at

Chattanooga, Tennessee

August 25, 26, 27 and 29

1910

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110

PROCEEDINGS
OF THE
TWENTIETH ANNUAL CONFERENCE
OF
Commissioners on Uniform State Laws
HELD AT
CHATTANOOGA, TENN.
August 25, 26, 27 and 29, 1910

OFFICERS OF THE CONFERENCE
1910-1911.

WALTER GEORGE SMITH, *President*,
1006 Land Title Building, Philadelphia, Pennsylvania.

J. R. THORNTON, *Vice-President*,
Alexandria, Louisiana.

CHARLES THADDEUS TERRY, *Secretary*,
100 Broadway, New York, New York.

TALCOTT H. RUSSELL, *Treasurer*,
42 Church St., New Haven, Connecticut.

M. GRUNTHAL, *Assistant Secretary*,
100 Broadway, New York, New York.

MEMORANDUM.

The National 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 law 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 National Conference consist of a President, Vice-President, Secretary and Treasurer, elected annually. Twenty Conferences have so far been held; the first at Saratoga for three days, beginning August 24, 1892, and the twentieth at Chattanooga, Tennessee, August 25, 26, 27 and 29, 1910.

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

The time of the Twentieth Conference was largely taken up in the consideration of the draft of an Act to make Uniform the Law of the Incorporation of Business Corporations, the Act relating to Family Desertion and Non-Support, the Act relating to Marriage and Licenses to Marry, and the Acts prepared by the Committee on Wills, Descent and Distribution.

The Committee on Commercial Law was authorized to consider the subject of partnership at large and recommend to the Conference such an act on that subject as might seem advisable. The committee was authorized also to have Professor Samuel Williston prepare a draft of suggested amendments to the Negotiable Instruments Law, and have the same printed with annotations and distributed among the members of the Conference, lawyers, bankers and commercial bodies, and that such draft when considered and approved by the committee be presented to the Conference for their action.

The Committee on Marriage and Divorce was directed to further consider the draft of an act on marriage and licenses to marry, and to report same to the next Conference with such amendments as they may deem best after discussion and consultation, and that the new draft of the proposed act be printed and distributed at least ninety days preceding the meeting of the next Conference.

The draft of the act on family desertion and non-support as finally approved by the Conference was recommended for passage in the various states.

The "act relative to wills executed without this state and to promote uniformity among the states in that respect" was approved and its adoption recommended to the various states.

The Committee on Uniform Incorporation was instructed to consider further the subject of the draft of an act to make uniform the law of the incorporation of business corporations, and after investigation and consideration to redraft the act and have the same printed and distributed.

The Committee on the Torrens System and Registration of Land Titles was requested to take up with each Commissioner the advisability of the adoption of the Torrens System in the different states, and to send them copies of the laws of New York and Massachusetts in this regard, providing for the investigation of the Torrens System.

The Committee on Vital and Penal Statistics was authorized to print the uniform act on vital statistics submitted to the Conference in 1908 and to distribute copies thereof among the members of the Conference and others at least ninety days before the next Annual Conference; the said act to be taken up for consideration at said Conference.

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 session all of the bills recommended which have not 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-