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New Logan-Walter Bill

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NEW LOGAN-WALTER BILL

The history of the struggle of the Logan-Walter bill, intended to govern by law federal officers and agencies, is told in the March and April, 1941, numbers of the A.B.A. Journal. The House of Delegates of the American Bar Association at its meeting on March 17th, 1941, adopted a statement of principles, and expressed the opinion that Senate Bill 674, introduced by Senator Hatch, best embodied such principles. Since then, Congressman Walter has introduced H. R. 4238 in the House, which is almost the identical bill.

Hearings have commenced in the Senate and will probably continue for a month or six weeks. Numerous federal agencies are attacking the bill and they are, for the most part, insisting that their agencies be exempt therefrom. No one expects them to agree to any legislation which will in any considerable measure affect their powers and jurisdiction.

We must depend upon the lawyers in the respective states organizing and conducting such a campaign of education with the State Medical Associations, State American Legions, farm groups, patriotic groups and others, to support the Senators and Congressmen from the respective states in their fight for this legislation. The American people, of all classes and professions, made a magnificent fight in behalf of the Logan-Walter bill and we can make an even better one

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in behalf of the two bills I have mentioned, if the various state organizations and groups will inform themselves with respect thereto, and lend their active and vigorous assistance. The people and not the politicians will save this country from totalitarianism if it can be saved.

I therefore urge that every lawyer write our Senators and Congressmen asking them to support this worthy legislation and that you interest others to do the same.

H. G. NILLES,
President.

NATIONAL CONFERENCE OF JUDICIAL COUNCILS

Washington, D. C.—Impetus to the work of the National Conference of Judicial Councils was given at a luncheon here, held in connection with the meeting of the American Law Institute, at which members of the conference heard reports on what American lawyers are doing during the emergency and how their English brethren are carrying on under war conditions.

Sir Wilfred A. Greene, Master of the Rolls of England, and Dr. Arthur L. Goodhart, professor of Jurisprudence at Oxford University, gave off-the-record talks on conditions there. Other speakers were Jacob M. Lashly, president of the American Bar Association; Solicitor General Francis Biddle; and Judge Edward R. Finch, chairman of the conference. Arthur T. Vanderbilt, chairman of the conference Executive Committee, presided.

In attendance at the luncheon were Attorney General Jackson; justices of the United States Supreme Court; senior judges of the federal circuit court of appeals from several districts; judges of the United States Court of Appeals of the District of Columbia; chief justices of state supreme courts; law school deans, and others.

VACATION OF JUDGMENTS — EXTRINSIC AND INTRINSIC FRAUD

The principle that there has to be an end to litigation and that when a party has had his day in court the judgment thus rendered shall be final was first enunciated in 1702 by the Lord Keeper in the High Court of Chancery in the case of Tovey v. Young, 2 Vern. 437, S. C., 24 Eng. Rep. R. 93 (1702).

In the vacating of judgments, fraud plays an important part. Generally, fraud justifying equntable relief against enforcement of the judgment must be extrinsic to the issues. Con't. Nat'l Bank v. Holland Bank Co., 66 F. (2d) 823 (C.C.A. Mo. 1933). The leading case of United States v. Throckmorten, 98 U. S. 61, 25 L. ed. 93 (1878), held that fraudulent acts which will move a court of equity to set aside or annul a judgment or decree relate to frauds which are extrinsic to matters tried by the first court.