

Monk, chairman, and Messrs. Andrew T. Altmann and Jack E. Bindeman, with substantial and valuable assistance from Messrs. Meldrim Thomson, Jr., and Richard L. Anderson of Equity Publishing Corp. I am enclosing three copies of the reports dated September 26, 1962, and December 18, 1962, respectively, made by that committee to the board of directors of the bar association, recommending that the code be enacted in the District of Columbia.

The board of directors of the bar association has accepted and adopted the recommendations of our committee that the uniform code be enacted as part of the statutory law of the District of Columbia and has authorized me to submit to you this request that you introduce our proposed bill for this purpose.

The history and purposes of the uniform commercial code are discussed at length in the enclosed report of the uniform commercial code committee of our association. In brief, it was drafted under the continuing sponsorship of the National Conference of Commissioners on Uniform State Laws and the American Law Institute, beginning in 1942, and has been approved by the House of Delegates of the American Bar Association. Eighteen States, including many leading commercial States, had adopted the code at the time our committee made its report, and it is believed likely that it will be adopted by other State legislatures in session this year.

Our committee, in submitting the proposed draft, has had the benefit of the experience in other jurisdictions and particularly of the changes suggested in 1962 by the permanent editorial board established by the sponsors of the code.

As our committee's reports show in detail, the proposed code would replace the existing District of Columbia statutory provisions on negotiable instruments, warehouse receipts, sales of goods, stock transfers, bulk sales and certain provisions relating to bank checks. It would not replace the District of Columbia Code sections relating to pawnbrokers, money lenders, liens on motor vehicles and installment sales of motor vehicles. Section 15 of the proposed bill provides for repeal of legislation to be superseded by the code and for validation of transactions entered into prior to the effective date of the code. Sections 2 to 14 make appropriate changes in existing statutory law to conform it to the code.

Our committee has had the benefit of discussion with Dr. Charles J. Zinn, law revision counsel of the Committee on the Judiciary of the House of Representatives. We understand that Dr. Zinn contemplates that those existing sections of title 28 which are not repealed by the proposed bill will be rearranged or revised without undue difficulty before the proposed Uniform Commercial Code actually becomes effective as subtitle I of title 28. The proposed bill provides, in the last section, that it shall become effective on January 1, 1965. This period of time is necessary, in our opinion, in order to permit members of the bar to become familiar with the code.

As our committee points out in its reports, the great advantage to the citizens and bar of the District of Columbia, in enacting the proposed Uniform Commercial Code, is to make our law uniform with that of other leading commercial jurisdictions which have adopted the code. On many commercial law questions, there are few judicial precedents in the District, and counsel necessarily look to decisions, unfortunately often conflicting, of the courts of other States. Furthermore, counsel in the District are constantly required to advise on commercial transactions having their roots in other jurisdictions. It is believed that there are great advantages in statutory uniformity in these matters of commercial law.

Accordingly, we respectfully request that you introduce the proposed bill. In the event that the committee holds hearings on the bill, the bar association would appreciate the opportunity to be represented by one or more of its members who will be ready to testify regarding the proposal. If we can be of any assistance, please call on me or Mr. Robert W. Barker, chairman of our committee on pending legislation.

Sincerely yours,

THOMAS S. JACKSON, *President.*

Mr. HUDDLESTON. Without objection, we will put in the record at this point the portion of the Journal of the Bar Association of the District of Columbia dealing with the Uniform Commercial Code committee report, at pages 598 to 622, inclusive.