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Minutes of the Annual Meeting of the Wyoming State Bar

Wyoming State Bar

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MINUTES OF THE ANNUAL MEETING OF THE
WYOMING STATE BAR

Rawlins, Wyoming
September 2 and 3, 1949

Pursuant to Rule 10, the Annual Meeting of the Wyoming State Bar was held in the District Court Room in the Court House in Rawlins, Wyoming on the 2nd and 3rd of September, 1949, due notice of such meeting having been sent to all members. The meeting was called to order at 9:30 a.m., September 2, 1949 by President R. G. Diefenderfer. The reading of the minutes of the 1948 Annual Meeting and the 1949 Legislative Meeting was dispensed with, upon motion, made, seconded and carried.

The President announced that the State Board of Law Examiners had just handed him a list of names of applicants for admission to the Bar of Wyoming who were being recommended to the Supreme Court for admission. At the request of the President the Secretary read the list to the meeting as follows:

C. J. Devereaux	Malcolm Colberg
Edgar J. Herschler	Johnston K. Walker
Donald N. Sherard	Robert Sanborn
James E. Barrett	Kenneth Keldsen
William S. Bon	William T. Harvey
Donald E. Chapin	Jack F. Lewis
Allyn B. Henderson	Ross D. Copenhaver
Jack D. Froggatt	Jack D. Emery
Bernard E. Cole	Robert S. Lowe
Beatrice Raymond	

Vice-President Alfred M. Pence was called to the chair to preside. Mr. Pence introduced President Diefenderfer who delivered his address to the meeting. Mr. Burton S. Hill moved that the address be accepted and filed with the Secretary for publication in the Wyoming Law Journal, which motion was seconded and carried.

Vice-President Pence thanked President Diefenderfer who then resumed the chair.

The Secretary-Treasurer read the financial report covering the period from September 1, 1948 to September 1, 1949. Upon motion made, seconded and carried, the financial report was accepted.

At the request of the President, Mr. Alfred M. Pence gave his report on the Interstate Bar Council. At the conclusion of the report, the President announced that action thereon would be deferred.

Miss Ellen Crowley, State Librarian, was then introduced to the meeting by the President. Miss Crowley addressed the meeting on the facilities and use of the State Library.

The President then introduced Mr. Ernest Wilkerson who read his essay on the subject: "What Is The Proper Place and Function of The Lawyer In

Society." Mr. Wilkerson's essay was the winner of the American Bar Association's Ross Essay Prize. President Diefenderfer complimented and thanked Mr. Wilkerson.

The following were appointed as the Necrology Committee:

Harold M. Johnson
 Sam Corson
 Gerald A. Stack

Mr. C. A. Brimmer announced to the meeting the program and entertainment for the remainder of the Annual Meeting.

Mr. Erle H. Reid presented the report of the Legislative and Law Reform Committee. Upon motion made, seconded and carried, the report was adopted.

The meeting was then, at 12:00 noon, recessed until 1:30 p.m.

The meeting was reconvened at 1:30 p.m., and after calling the meeting the report of the Committee on Rules of Practice Before State Boards. to order, President Diefenderfer called on Mr. George F. Guy who presented the report of the committee on rules of practice before State Boards.

President Diefenderfer introduced former Governor Leslie A. Miller who addressed the meeting. The President thanked Governor Miller for his address.

The President then introduced Mr. J. J. Hickey who in turn introduced Mr. John S. Bugas, Vice-President of the Ford Motor Company, who addressed the meeting. The President thanked Mr. Bugas for his address.

It was moved that the Wyoming State Bar extend its thanks and appreciation to Mr. Wilkerson, Governor Miller, and Mr. Bugas. The motion was seconded and adopted by acclamation.

Following a short recess, Dean R. R. Hamilton presented the Report of the College of Law, University of Wyoming. Upon motion made, seconded and carried, the report was received and referred to a committee to be appointed by the President, such committee to consider the report and make recommendations thereon. The President appointed the following as members of such committee:

Sarah D. Steadman
 Clarence W. Cook
 Preston T. McAvoy

Mr. W. J. Wehrli, Acting Chairman of the Advisory Committee, appointed by the Supreme Court pursuant to Chapter 53, Session Laws of Wyoming, 1947, in connection with rules of civil procedure, was called upon by the President. Mr. Wehrli reviewed the work of the Committee in drafting proposed rules. Mr. L. A. Bowman presented the following Resolution:

RESOLUTION

"WHEREAS, widespread dissatisfaction with existing court procedures has existed throughout the Bar of Wyoming, and among litigants having business in the Courts of the State, and on the recommendation of the Bar Chapter 53, Session Laws of Wyoming, 1947, was enacted declar-

ing that the Supreme Court of Wyoming might adopt general rules of procedure for the purpose of promoting the speedy and efficient determination of litigation upon its merits; and

WHEREAS, the Rules Advisory Committee appointed by the Supreme Court September 23, 1947, prepared Proposed Rules of Civil Procedure for Courts of Record of the State of Wyoming which were printed in the August 1948 Wyoming Law Journal which was distributed to all members of the Bar prior to the annual meeting at Cody, September 3 and 4, 1948; and

WHEREAS, at the Cody meeting September 4, 1948, a resolution was adopted, with only one dissenting vote, approving the work of the Committee, and instructing it, after consideration of such proposed amendments as might be offered prior to October 20, 1948, to recommend the proposed rules, with such changes as the Committee might approve, to the Supreme Court for adoption; and

WHEREAS, by letter of September 15, 1948, the President of the Wyoming State Bar, notified every member of the action taken at Cody, and requested that everyone send in to the Committee all suggestions for changes before October 20, 1948; and

WHEREAS, thereafter and on December 18 and 19, 1948, the Committee met and considered all suggestions offered by members of the Bar and made such changes as the Committee deemed advisable and thereafter and on January 12, 1949, presented to the Supreme Court the Proposed Rules incorporating all amendments made in response to the suggestions of the members of the Bar, and whereas, the Court has now adopted only Rule 16 of the Proposed Rules; and

WHEREAS, except for the one negative vote at Cody, no member of the Wyoming State Bar has recorded with the Committee or the State Bar, any opposition to the Proposed Rules, and action endorsing adoption of the same has been taken at District Meetings and the Cody Convention;

NOW, THEREFORE, the Wyoming State Bar, in annual meeting assembled at Rawlins this 2nd day of September, 1949, does hereby renew and reaffirm its previous endorsement of the Proposed Rules of Civil Procedure, and being convinced that piece-meal consideration or adoption will not accomplish the objectives sought to be attained, and that enactment of the Proposed Rules in full will greatly promote the just, speedy, inexpensive and efficient administration of justice in our Courts, and be of great and lasting benefit to all the people of Wyoming, does hereby urge that the Supreme Court promptly adopt and put into effect the Proposed Rules in toto."

Mr. Bowman moved that the foregoing Resolution be adopted and that a copy thereof be transmitted to each member of the Supreme Court. The motion was seconded by Mr. A. C. McClintock and after a general discussion the motion was carried upon being put to a vote. Justice Fred H. Blume spoke on the proposed rules of civil procedure and explained the position of the Supreme Court with reference thereto and the reason for the Court's caution. There followed a general discussion on the proposed rules.

The meeting was then, at 5:00 p. m., recessed until 9:30 a. m. September 3, 1949.

The members and their ladies were entertained from 7:00 p. m. until 8:00 p. m. September 2, 1949 at the Community Room of the Carbon County Court House, and later attended a banquet at the Adams Restaurant. Mr. J. Reuel Armstrong acted as Toastmaster and Mrs. Madge Enterline delivered the principal address.

The meeting was reconvened at 9:30 a. m. on September 3, 1949. The President called on Mrs. Sarah D. Steadman who gave the report of the Special Committee appointed to consider and make recommendations on Dean Hamilton's Report of the College of Law. The Committee made the following recommendation:

"It is the recommendation of your committee appointed to consider the establishment of a Wyoming Law Institute that such establishment be authorized as a joint enterprise of the University of Wyoming College of Law and the Wyoming State Bar; that the dates of the Institute, the visiting lecturers to be invited and the matter of its financing be left to the determination of the Committee on Legal Education and Admission to the Bar of the Wyoming State Bar."

Mrs. Steadman moved the adoption of the recommendation. The motion was seconded by Mr. Burton S. Hill and after a general discussion was carried. Mrs. Steadman requested suggestions as to the types of courses that might be conducted at a Law Institute. Mr. Alfred M. Pence suggested courses on taxes and labor-management relations. Mrs. Steadman, on behalf of the Special Committee, moved the adoption of the following Resolution:

RESOLUTION

WHEREAS, it is the sense of the Wyoming State Bar that thorough research on present and proposed legislation is highly desirable in order that members of the State Legislature may have at their disposal as much information as possible on such present and proposed legislation; and

WHEREAS, the University of Wyoming has as members of its staff a large number of capable specialists in various fields which will be the subject of such legislation; and

WHEREAS, the University of Wyoming College of Law and the University generally has expressed its willingness to engage in such research and make the results thereof available to legislators and any other groups concerned; and

WHEREAS, it appears that the most effective manner of carrying on such research and the dissemination of the results thereof to such

interested groups can best be effectuated through the establishment of a central coordinating and directing agency ;

NOW, THEREFORE, BE IT RESOLVED that the Wyoming State Bar approve in principle the establishment of the Wyoming Legislative Research Bureau to be established at the University of Wyoming." The motion was seconded and upon being put to a vote was carried.

Mr. Harold M. Johnson presented the Report of the Necrology Committee and moved its adoption. The motion was duly seconded and carried. The entire membership stood in reverent silence in memory of the deceased members :

Alvin T. Clark

Bryant S. Cromer

William C. Deming

Mark Ewing

C. R. Ingle

Charles F. Mallin

Mr. W. J. Wehrli presented the following Resolution :

RESOLUTION

"Legislation having been enacted and approved authorizing an additional Judge in the United States Court of Appeals for the Tenth Circuit, it is appropriate that the Wyoming State Bar make recommendations for the appointment of a Judge to this important position. To the members of the Bar of this State, John C. Pickett, Esq., of Cheyenne, is universally known as a lawyer of wide attainment and learning and a man of strict personal honor and integrity, in whom these qualities are combined with the spirit of tolerance and fair mindedness most necessary to the proper administration of justice.

Now, Therefore, Be It Resolved by the Wyoming State Bar, assembled in its regular annual meeting at Rawlins, Wyoming, that John C. Pickett be, and he hereby is, recommended and endorsed for appointment to the Bench of the United States Court of Appeals for the Tenth Circuit.

And Be It Further Resolved, that this resolution be made a part of the permanent records of the Bar, and that the Secretary-Treasurer is authorized and directed to deliver copies thereof to Senators O'Mahoney and Hunt, Congressman Barrett, and the Attorney General of the United States."

Mr. Wehrli moved the adoption of the foregoing Resolution, which motion was seconded and carried.

Mr. John U. Loomis and Mrs. Brooke Wunnicke spoke on the juvenile court movement and requested the assistance of the Wyoming State Bar in drafting necessary legislation. President Diefenderfer ruled that the matter should be taken up with the Legislative and Law Reform Committee.

Mr. Erle Reid expressed his belief that a one-day legislative meeting is inadequate and that the meeting should be held earlier in the session and possibly

in December preceding a legislative session. Mr. Reid moved that it be the sense of this meeting that future legislative meetings be two-day meetings and held not later than the first week of the legislative session. The motion was seconded and carried.

Mr. G. R. McConnell moved the adoption of the following Resolution:

RESOLUTION

“BE IT RESOLVED that the Wyoming State Bar expresses its appreciation to the Carbon County Bar Association for its gracious hospitality to us during this annual meeting, and we are most grateful to the Benevolent and Protective Order of Elks of Rawlins for the generosity in making their home available to us and we wish to express our appreciation to the Adams Restaurant for its accommodations to our wives, to the Board of County Commissioners of Carbon County, and to each member of the Carbon County Bar Association who have made our stay most pleasant. We assure you that you have left nothing undone to make our annual meeting of the Wyoming State Bar a success.

BE IT FURTHER RESOLVED that a copy of this Resolution be conveyed to the President of the Carbon County Bar Association, the Elks Club, the Adams Restaurant, and the Board of County Commissioners of Carbon County.”

The motion was duly seconded and was adopted by acclamation.

Mr. James Munro moved that it be the sense of this meeting that the Annual Meeting of the Wyoming State Bar be held not less than ten days prior to the American Bar Association meeting. The motion was seconded and carried.

Mr. Erle Reid stated that the lawyers who were members of the 1949 Wyoming Legislature had given the Wyoming State Bar full support on the measures recommended by it for passage. Mrs. Madge Enterline and Mr. Franklin B. Sheldon, both of whom are members of the Legislature, expressed the opinion that legislators need more help from the Bar. Mr. G. R. McConnell urged that legislation proposed be formally drafted as bills by the members before presentation to the Legislative and Law Reform Committee.

Mr. Alfred M. Pence moved that an appropriate letter be sent to the Secretary of State thanking him for sending to the membership the advance sheets of the laws enacted by the 1949 Session of the Wyoming Legislature. The motion was seconded and carried.

Mr. Burton S. Hill moved that the Wyoming State Bar continue its participation in and support of the Interstate Bar Council. The motion was seconded and carried.

Mr. Oliver W. Steadman moved that it be the sense of this meeting that a Committee on Title Standards be appointed with the view of continuing the work in that field. The motion was seconded and carried.

President Diefenderfer recommended that the office of the President be given some allowance for stenographic assistance. Mr. John S. Miller moved that the Board of Commissioners be empowered to make such allowance as it deems fit for the expense of the President. The motion was seconded and carried.

Mr. Harold M. Johnson urged that the Committee on Title Standards investigate the proposition of the State Bar defending suits challenging titles which are based on title standards theretofore adopted.

Mr. George F. Guy submitted the following Resolution:

RESOLUTION

“WHEREAS, it has been called to the attention of the Wyoming State Bar in annual meeting duly assembled, that individuals who are not members of the Bar are engaging in the practice of law in this State; and

WHEREAS, the enforcement of the statutes of the State of Wyoming pertaining to the practice of law by others than active members of the Wyoming State Bar, has been seriously curtailed by the lack of a definition of such practice;

NOW THEREFORE BE IT RESOLVED by the Wyoming State Bar in meeting duly assembled that the Supreme Court of the State of Wyoming be requested to define the practice of law in this State by Rule of Court; and that the Supreme Court be advised of this Resolution by forwarding a copy thereof to each member of the Court. Dated at Rawlins, Wyoming this 2nd day of September, 1949.”

Mr. Guy moved the adoption of the foregoing Resolution, with the amendment that the matter be briefed if the Supreme Court desires that assistance. The motion was seconded and carried. Upon motion duly made, seconded and carried, the Board of Commissioners was authorized to have the matter briefed in the event the Supreme Court desires that assistance.

Mr. John U. Loomis announced that a dinner would be held in Denver, Colorado on September 12, 1949 in honor of Judge Orie L. Phillips.

Mr. Burton S. Hill announced that he had letters from the Buffalo Kiwanis Club, the Buffalo Rotary Club, and the Buffalo Commercial Club inviting the Wyoming State Bar to hold its 1959 Annual Meeting at Buffalo, Wyoming.

President Diefenderfer announced that the Albany County Bar Association had extended an invitation to the State Bar to hold its 1950 State Meeting at Laramie, Wyoming.

Mr. Erle H. Reid extended an invitation on behalf of the Goshen County Bar Association to hold the 1950 Annual Meeting in Torrington, Wyoming.

At the request of the President the Board of Commissioners for the ensuing year were announced by the Secretary as follows:

A. G. McClintock, First Judicial District

J. Reuel Armstrong, Second Judicial District

Clarence W. Cook, Third Judicial District
 Burton S. Hill, Fourth Judicial District
 Donald Harkins, Fifth Judicial District
 William G. Watt, Sixth Judicial District
 Edward E. Murane, Seventh Judicial District

The President then announced that the next order of business would be the election of officers, and reviewed the method by which the election would be conducted, to wit: that nominations for each office would be by secret written ballot with the two receiving the highest number of votes being nominated for that office; that a second secret written ballot would be had to determine the election between the nominees. Mr. John P. Ilsley, Mr. Jerry Housel and Mr. Joseph Maier were appointed as Tellers.

Upon secret written ballots so had, the following were nominated for the office of President:

Alfred M. Pence
 A. G. McClintock

Mr. McClintock withdrew his name from nomination and moved that the Secretary be instructed to cast the unanimous ballot of the meeting for Alfred M. Pence. The motion was seconded and carried, and the President declared Alfred M. Pence elected President.

Upon secret written ballots so had, the following were nominated for the office of Vice-President:

John U. Loomis
 A. G. McClintock

Mr. Loomis withdrew his name from nomination and moved that the Secretary be instructed to cast the unanimous ballot of the meeting for A. G. McClintock. The motion was seconded and carried, and the President declared A. G. McClintock elected Vice-President.

It was moved by Mr. Ewing T. Kerr, and duly seconded, that the rules be suspended and that Robert B. Laughlin be nominated for the office of Secretary-Treasurer, that nominations be closed, and that the President cast the unanimous ballot of the meeting for the nominee. The motion was carried and the President declared Robert B. Laughlin elected Secretary-Treasurer.

Mr. Diefenderfer thanked the Officers, the Board of Commissioners and the membership for their cooperation during his term of office, and commented on the importance and value of integration. He then turned the meeting over to the new President, Mr. Alfred M. Pence, who thanked Mr. Diefenderfer for his work as President. The new Vice-President, Mr. A. G. McClintock, was presented to the meeting by Mr. Pence.

There being no further business the meeting was adjourned.

Robert B. Laughlin,
Secretary-Treasurer.