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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

Buffalo, Wyoming

August 31 and September 1, 1950

Pursuant to Rule 10, the Annual Meeting of the Wyoming State Bar was held in the Masonic Temple at Buffalo, Wyoming on August 31 and September 1, 1950, due notice of such meeting having been sent to all members. The meeting was called to order at 2:45 p.m., August 31, 1950, by President Alfred M. Pence. The President recognized Mr. Burton S. Hill, who welcomed the members to Buffalo.

Vice-President A. G. McClintock was called to the chair to preside. Mr. McClintock introduced President Pence, who delivered his address to the meeting. Upon motion, made, seconded and carried, the address was accepted and filed with the Secretary for publication in the *Wyoming Law Journal*.

Vice-President McClintock thanked President Pence for his address and President Pence then resumed the chair.

The Secretary-Treasurer read the financial report covering the period from September 1, 1949 through July 31, 1950. Mr. W. J. Wehrli gave the report of the Auditing Committee, and upon motion, made, seconded and carried, the Auditing Committee's report was adopted, and the financial report was approved and accepted.

The President introduced Mr. H. Glenn Kinsley, who in turn introduced The Honorable Harold J. Gallagher, President of the American Bar Association. Mr. Gallagher addressed the meeting. President Pence thanked him for his address. Mr. Gallagher complimented Mr. Ernest Wilkerson on winning the American Bar Association Ross Essay Prize.

The Board of Commissioners for the ensuing year was announced by the Secretary as follows:

Kyle Casselman, First Judicial District
Joseph H. Galicich, Second Judicial District
Clarence W. Cook, Third Judicial District
A. W. Lonabaugh, Fourth Judicial District
Donald J. Harkins, Fifth Judicial District
Chester S. Jones, Sixth Judicial District
Edward E. Murane, Seventh Judicial District.

Members of the Legislative Committee, Municipal Code Committee, Necrology Committee and Resolutions Committee were announced, and Mr. Burton S. Hill announced the entertainment which had been arranged for the members.

The meeting was then, at 5:30 p.m., recessed until 9:00 a.m., September 1, 1950.

The meeting was reconvened at 9:00 a.m. on September 1, 1950, and The Honorable T. Blake Kennedy, United States District Judge, was called to the chair to preside. The morning was devoted to an Institute on Pre-trial Procedure conducted by The Honorable John W. Delehant, United States District Judge, of Lincoln, Nebraska, who was introduced by The Honorable John C. Pickett, United States Circuit Judge. The President resumed the chair following the Institute, and the meeting was then recessed until 2:00 p.m.

The meeting was reconvened at 2:00 p.m., September 1, 1950.

President Pence spoke on the importance of membership in the American Bar Association and urged all members, who were not already enrolled, to join the American Bar Association.

The Albany County Bar Association extended an invitation to hold the 1951 Annual Meeting at Laramie. The Cheyenne Chamber of Commerce extended an invitation to hold the 1951 Annual Meeting at Cheyenne. The Gohsen County Bar Association extended an invitation to hold the 1951 Annual Meeting at Torrington.

The Weston County Bar Association invited the Wyoming State Bar to hold its 1952 Annual Meeting at Newcastle.

Mr. George F. Guy presented the report of the Municipal Code Committee. Upon motion, made, seconded and carried, the report was adopted.

Mr. A. G. McClintock, Chairman of the Ways and Means Committee, presented the report of that Committee. Mr. McClintock reviewed the finances and fiscal policies of the Wyoming State Bar, and following a discussion, the following Resolution was adopted, upon motion made, seconded and carried:

"The Wyoming State Bar in Convention duly assembled makes the following recommendations to the Board of Commissioners with respect to the fiscal policy of said Bar:

1. That no action be taken at this time seeking new sources of revenue.
2. That the previous practice of defraying expenses of a cocktail party at the annual and legislative meetings of the Bar be discontinued.
3. That the previous practice of defraying convention expenses of the members of the Board of Commissioners, either outgoing or new members, and committees be discontinued.
4. That in so far as the finances of the Bar permit, the travel expenses of special meetings of the Board of Commissioners, Legislative Committee and other committees requiring special attendance be continued."

Dean Hamilton stated that the bottleneck in the publication of the *Law Journal* was in the publishers and not at the Law School. He stated that the Law School recognized that something had to be done, and he hoped the members would be patient until the situation can be alleviated. Mr. Hume Everett moved that the State Bar recommend to the Board of Commissioners continued support of the *Law Journal* as in the past. The motion was seconded and carried, and the Secretary was directed to so advise the Board of Commissioners.

At the request of the President, Mr. R. Dwight Wallace gave a report on the Salt Lake meeting of the Interstate Bar Council. Mr. Wallace indicated that the two subjects receiving the most attention at the meeting were Public Relations and Legislation. At the conclusion of the report, Mr. Wallace moved its adoption and that participation in the Council be continued. The motion was seconded and carried.

Mr. C. M. Crowell presented the report of the Legislative Committee and moved its adoption. The motion was seconded and carried. Mr. Crowell stated that the Legislative Committee had one bill ready for action by the State Bar, the bill being one to permit fiduciaries to execute mineral leases. Upon motion, made, seconded and carried, the bill was approved and recommended to the Legislature for passage.

The President urged timely cooperation with the Legislative Committee by the membership.

Mr. L. A. Bowman presented the report of the Resolution Committee. Upon motion, made, seconded and carried, the following Resolution was adopted:

WHEREAS, in accordance with the Constitution of the State of Wyoming and statutes respecting election of the judiciary, there is to be held, on November 7, 1950, at the time of the general election, an election for Justice of the Supreme Court on the non-partisan judicial ballot; and

WHEREAS, the Wyoming State Bar has not endorsed any candidate for the office of Justice of the Supreme Court, or any other elective judicial office; and,

WHEREAS, it is the sense of the members of the Wyoming State Bar that this organization should not endorse either of the candidates for the said office in preference to the other candidate;

NOW, THEREFORE, the Wyoming State Bar, in annual meeting assembled at Buffalo this first day of September, 1950, does hereby declare that it has not endorsed and will not endorse any candidate for the Supreme Court or any other elective judicial office.

The adoption of the following Resolution was moved and seconded:

WHEREAS, the Wyoming State Bar has twice before, in annual

convention, endorsed the proposed Rules of Civil Procedure prepared by the Rules Advisory Committee appointed by the Supreme Court; and,

WHEREAS, none of said proposed Rules, except Rule 16, has been adopted by the Supreme Court; and,

WHEREAS, at the 1949 convention of the Bar held at Rawlins, a Resolution was unanimously adopted, stating in part that the Wyoming State Bar "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;" and,

WHEREAS, it is the sense of the Bar that, despite the failure of the Supreme Court to adopt the same, their adoption would promote the better and speedier administration of justice in our Courts;

NOW, THEREFORE, the Wyoming State Bar, in annual convention assembled at Buffalo, this first day of September, 1950, does hereby reaffirm its previous endorsements of the Proposed Rules of Civil Procedure and does hereby again urge the Supreme Court promptly adopt and put into effect the Proposed Rules in toto.

The President called the Vice-President to the chair to preside. Mr. Pence moved that the rules be suspended and that roll call vote be taken on the motion. The motion was seconded and carried. Mr. Pence then resumed the chair. Following a general discussion of the motion, the Secretary called the roll of those in attendance at the Annual Meeting, and the motion to adopt the Resolution was carried by the following vote:

Voting Aye: Ed Amschel, Mildred A. Barber, R. H. Bennett, R. R. Bostwick, L. A. Bowman, C. O. Brown, W. H. Brown, Robert A. Burgess, Donald Chapin, Clarence W. Cook, Sam Corson, Jack Crofts, C. M. Crowell, T. C. Daniels, Gordon W. Davis, R. G. Diefenderfer, William Drew, Earl Dunlap, Harry B. Durham, Madge Enterline, Hume Everett, J. W. Gee, E. J. Goppert, J. H. Greenwood, Burt Griggs, Rodney M. Guthrie, George F. Guy, Edward S. Halsey, R. R. Hamilton, Donald J. Harkins, H. S. Harnsberger, Frank E. Hays, J. J. Hickey, Burton S. Hill, David N. Hitchcock, William C. Holland, Robert E. Holstedt, Jerry Housel, Harry P. Ilsley, John P. Ilsley, Eph U. Johnson, Harold M. Johnson, Chester Jones, George P. Kading, K. W. Keldsen, William J. Kirven, Arthur Kline, Robert B. Laughlin, G. A. Layman, A. W. Lonabaugh, Robert S. Lowe, Edwin V. Magagna, Homer C. Mann, Edmond I. Marks, Preston T. McAvoy, A. G. McClintock, Fred J. McDermott, J. Byron McHale, Robert H. McPhillamey, P. W. Metz, George J. Millett, E. N. Moody, R. Lauren Moran, Thomas Morgan, Vincent Mulvaney, James

Munro, Edward E. Murane, Lee S. Nebeker, E. L. Newton, D. W. Ogilbee, Glenn Parker, Alfred M. Pence, Walter B. Phelan, John C. Pickett, Meyer Rankin, Beatrice Raymond, William D. Redle, Otis Reynolds, Daniel C. Rogers, Jr., Teno Roncalio, William T. Schwartz, Franklin B. Sheldon, Don Sherard, W. A. Smith, Donald Spiker, Oliver W. Steadman, Sarah D. Steadman, Allen H. Stewart, E. J. Sullivan, J. B. Sullivan, John F. Sullivan, William F. Swanton, Harry A. Thompson, E. Keith Thomson, V. J. Tidball, Jr., Dwight Wallace, T. J. Weber, W. J. Wehrli, Ernest Wilkerson, Houston G. Williams, James O. Wilson, Jack Wolfe, C. A. Zaring, James A. Zaring.

Voting No: E. C. Raymond.

Not Voting: J. R. Armstrong, Kyle Casselman, James T. McGuckin, R. E. McNally, George P. Sawyer, J. L. Sawyer, William G. Watt.

Absent: S. W. Davis, Frank H. Gallivan, H. Glenn Kinsley, D. P. B. Marshall, John F. Raper, Lynn Rees, Robert B. Rose, Harry F. Schwartz, J. O. Spangler.

It was moved, seconded and carried that copies of the foregoing Resolution be forwarded to the Supreme Court and that the results of the vote be communicated to the Court.

Dean R. R. Hamilton presented the Report of the College of Law, University of Wyoming.

Mr. Oliver W. Steadman presented the Report of the Necrology Committee and moved its adoption. The motion was seconded and carried. The entire membership stood in reverent silence in memory of the deceased members:

Judge James H. Burgess
 Mark A. Chapman
 Lin I. Noble
 John Stansbury
 Judge V. J. Tidball.

Mr. F. B. Sheldon moved that the Bar procure a gavel each year with appropriate inscriptions thereon for the use of the President. The motion was seconded and carried.

Mr. David N. Hitchcock discussed the need for a Wyoming Digest. The President asked for a show of hands of those interested in doing something about such a Digest, and then referred the matter to the Board of Commissioners.

Mr. George F. Guy discussed the visit to the United States of Japanese Judges for the purpose of studying the judicial system in the United States. He stated that the visit was sponsored by the Army, that Wyoming was included in the itinerary and that Mr. Frank E. Hays is to be a consultant in connection with the visit. Mr. Hays reviewed the background of the Japanese Judiciary and urged the Bar to support the visit. Mr. J. R.

Armstrong moved that Mr. Hays and Mr. Guy be appointed a committee, together with others chosen by them, to make appropriate arrangements. The motion was seconded and carried.

President Pence announced that the next order of business was the election of a Delegate to the House of Delegates of the American Bar Association. The meeting was declared open for nominations. The name of C. A. Zaring was placed in nomination. Upon motion, made, seconded and carried, nominations were closed, and the Secretary was instructed to cast the unanimous ballot of the meeting for Mr. Zaring. The President thereupon declared Mr. Zaring elected as a Delegate to the House of Delegates of the American Bar Association.

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.

It was moved by Mr. R. G. Diefenderfer, and duly seconded, that the previous custom be disregarded, that Mr. A. G. McClintock be nominated for the office of President, that nominations be closed, and that the Secretary cast the unanimous ballot of the meeting for the nominee. The motion was carried, and the President declared Mr. A. G. McClintock elected President.

Upon secret written ballot, Mr. Burton S. Hill was elected Vice-President.

It was moved by Mr. James O. Wilson, and duly seconded, that the rules be suspended, 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.

Upon motion, made, seconded and carried, the following Resolution was adopted:

BE IT RESOLVED by the Wyoming State Bar Convention assembled at Buffalo, Wyoming this 1st day of September, 1950: That we express to the Johnson County Bar and their ladies our grateful appreciation for the generous hospitality and excellent arrangements which have contributed so greatly to the comfort and enjoyment of the members of the Bar and their ladies and made this one of the largest and most outstanding conventions of this Association.

AND BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted to the Johnson County Bar and spread upon the minutes of this association.

Upon motion, made seconded and carried, the following Resolution was adopted:

BE IT RESOLVED by the Wyoming State Bar Convention assembled at Buffalo, Wyoming this 1st day of September, 1950: That we express to the Honorable Harold J. Gallagher, President of the American Bar Association, John W. Delehant, Judge of the United States District Court of the District of Nebraska, James E. Brenner of Stanford University, and to Laurens Williams of the Omaha, Nebraska Bar our sincere appreciation for their personal sacrifices, inconveniences and generous efforts in bringing to the members of the Wyoming Bar outstanding work and presentations which have contributed to the professional advance of our members.

AND BE IT FURTHER RESOLVED, that a copy of this Resolution be transmitted to each of them and spread upon the minutes of this Association.

The adoption of the following Resolution was moved, seconded and adopted by acclamation:

BE IT RESOLVED by the Wyoming State Bar Convention assembled at Buffalo, Wyoming this 1st day of September, 1950: That we express to Alfred M. Pence, the retiring President of the Wyoming State Bar, our sincere appreciation for the excellent manner in which he has served the Wyoming State Bar during the past year as its President and our sincere congratulations for a job well done.

AND BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the minutes of this Association.

Mr. Hume Everett moved that vote of thanks be extended to President Pence and the other officers for making the meeting possible. The motion was seconded and carried by acclamation.

There being no further business, the meeting was adjourned.

Robert B. Laughlin,
Secretary-Treasurer.

The members and their ladies were entertained from 7:00 p.m. until 8:00 p.m. at the Buffalo Country Club and later attended a banquet at the City Hall. Mr. Alfred M. Pence served as Toastmaster, and The Honorable John W. Delehant, United States District Judge, delivered the principal address entitled "Judah P. Benjamin, Lawyer and Statesman."

The entire day of Saturday, September 2, 1950, was devoted to an Institute on Federal Taxation conducted by Mr. Laurens Williams of the Omaha Bar. Mr. Williams was introduced by Mr. James E. Brenner, Stanford University, Director, Western Area, Committee on Continuing Legal Education of the American Law Institute Collaborating with the American Bar Association.