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Minutes of the Annual Meeting of the Wyoming State Bar

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MINUTES OF THE ANNUAL MEETING
OF THE
WYOMING STATE BAR

Casper, Wyoming
September 17, 18 and 19, 1953

Pursuant to Rule 10, the Annual Meeting of the Wyoming State Bar was held in Casper, Wyoming, on September 17, 18 and 19, 1953, due notice of such meeting having been sent to all members. The meeting was called to order by President Edward E. Murane at 2:00 p.m., on September 17, 1953. The President recognized W. Hume Everett, President of the Natrona County Bar Association, who welcomed the members to the meeting. The response was given by the Honorable Harry Harnsberger, Justice of the Wyoming Supreme Court.

An attendance door prize, donated by West Publishing Company, was won by W. Hume Everett. The President thanked the Fireman's Fund Group for the flowers on the platform.

The President recognized Marvin L. Bishop, Chairman of the Resolutions Committee, who presented the following Resolution:

"WHEREAS, the untimely death of Chief Justice Fred M. Vinson has created a vacancy in the office of Chief Justice of the Supreme Court of the United States, and

WHEREAS, this region of the United States has not been represented on the Supreme Court thereof since the death of one of its eminently qualified jurists, Mr. Justice Willis Van Devanter of Wyoming, and

WHEREAS, the Honorable Orrie L. Phillips of Denver, Colorado, is eminently qualified to fill such a vacancy because of his sterling character, his education, background, reputation and experience as an outstanding practitioner, as a District Judge and as a jurist with unqualified judicial knowledge and attainment of the highest order as Chief Judge of the U. S. Court of Appeals, Tenth Circuit, and

WHEREAS, Judge Phillips not only is a great jurist having a thorough knowledge of the law and of the proper administration of justice, but is especially familiar with and learned in the law of irrigation, mining, oil and gas, Indian Lands and Public Lands, which such knowledge and representation on the Supreme Court of the United States is considered imperative to a well rounded Court representing the legal learning and judicial ability of all regions of the United States.

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming State Bar, in convention duly assembled at Casper, Wyoming, this 17th day of September, 1953, does hereby respectfully and un-animously endorse and submit the name of the Honorable Orrie L. Phillips for appointment to the office of Chief Justice of the Supreme Court of the United States.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be transmitted forthwith by the president of the Wyoming State Bar to the Honorable Dwight D. Eisenhower, President of the United States."

Mr. Bishop moved the adoption of the Resolution. The motion was duly seconded and unanimously carried. Mr. Bishop moved that the President be authorized and directed to transmit a certified copy of the foregoing Resolution to the United States Senators representing each of the Mountain States, and to the Honorable Herbert Brownell, Attorney General of the United States. The motion was duly seconded and carried.

The president introduced Hraold H. Healy who, in turn, introduced the following as the panel for the presentation of an Institute on Civil Jury Trials:

Hon. Clifford W. Gardner, St. Paul, Minnesota
Immediate Past President of the Minnesota State Bar Association

Hon. Gustavus A. Loevinger, St. Paul, Minnesota
Judge of the 2nd Judicial District of Minnesota

Hon. Sidney P. Gisalson, New Ulm, Minnesota
Former Judge of the 9th Judicial District of Minnesota.

The remainder of the afternoon ssession wsa devoted to the Institute on Civil Jury Trials.

The meeting was then recessed until 9:30 a.m., September 18, 1953.

An the evening September 17, 1953, the members and their ladies were entertained at a social hour at the Henning Hotel.

The meeting was reconvened at 9:30 a.m., on September 18, 1953. An attendance door prize, donated by Matthew Bender and Company, was won by Miss Cecilia Kinsley.

The President recognized Harold H. Healy who again presented the Panel on Civil Jury Trials and the remainder of the morning session was devoted to the Institute on Civil Jury Trials.

The meeting was then recessed until 2:00 p.m.

A noon luncheon meeting was held at the Gladstone Hotel and was addressed by the Honorable W. J. Jameson, President of the American Bar Association.

The meeting was reconvened at 2:00 p.m. An attendance door prize, donated by The Bobbs-Merrill Company, was won by William Walton.

The President introduced the Honorable Laurens Williams, President of the Nebraska State Bar Association who conducted an institute on the Federal tax consequences of joint tenancies and tenancies by the entireties, and Federal income taxation of corporations and partnerships.

The President then introduced Richard R. Bostwick who addressed the meeting on "The Poorest Businessman".

H. Glenn Kinsley was then introduced by the President. Mr. Kinsley explained the American Bar Foundation and urged every member of the Wyoming State Bar to contribute to the Foundation for the construction of the American Bar Center in Chicago to be devoted in large measure to legal research and to making the results of research available to the profession and to the public.

The meeting was then recessed until 9:30 a.m. September 19, 1953.

On the evening of September 18, 1953 the members and their ladies were entertained at a social hour and buffet dinner, including dancing and entertainment, at the Riverside Club.

The meeting was reconvened at 9:30 a.m. on September 19, 1953. An attendance door prize, donated by Bancroft-Whitney Company, was won by John Casey.

Oliver W. Steadman was recognized. Mr. Steadman introduced the members who have been admitted to practice within the past year and then called upon the Honorable Fred H. Blume, Chief Justice of the Wyoming Supreme Court who addressed the new members.

An attendance door prize, donated by Commerce Clearing House, Inc., was won by James G. McClintock.

Vice-President R. Dwight Wallace was called to the chair to preside. Mr. Wallace introduced President Murane who delivered his report to the meeting. Upon motion made, seconded and carried, the report was adopted and approved and ordered to be spread upon the records, with appreciation of President Murane's efforts on behalf of the State Bar.

President Murane then resumed the chair and recognized John U. Loomis who reported on behalf of the Committee on Unauthorized and Unethical Practice.

The Secretary-Treasurer gave the financial report covering the fiscal year ending July 31, 1953. The Report of the Auditing Committee was read and upon motion made, seconded and carried the Auditing Committee's Report was adopted and the financial report was approved and accepted.

The President announced that the Honorable C. A. Zaring had received special recognition at the recent meeting of the American Bar Association as being the dean of all law examiners in the United States, having served longer as a law examiner than any other individual in any state. The membership responded with applause.

James O. Wilson, Chairman of the Legislative Committee, presented the report of that Committee and moved its adoption. The motion was

seconded and carried. The President thanked Mr. Wilson and the Committee for their work during the 1953 Wyoming Legislative Session.

D. W. Ogilbee 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:

Frank E. Anderson
C. O. Brown
John B. Clark
Harry P. Ilsley
W. A. James
T. Paul Wilcox

Marvin L. Bishop was recognized and presented the report of the Resolutions Committee. Upon motions made, seconded and carried, the following Resolutions were adopted:

"WHEREAS, the Wyoming State Bar has repeatedly requested the Supreme Court of the State of Wyoming to adopt a new, progressive and efficient set of Rules of Civil Procedure suitable to the needs of and for the benefit and welfare of the citizens of this State;

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming State Bar at its annual meeting in Casper, Wyoming, September, 1953, again respectfully urges the Supreme Court of the State of Wyoming to adopt the Rules of Civil Procedure proposed by its Advisory Committee.

RESOLUTION

"WHEREAS, a State-wide minimum fee schedule may be of considerable assistance to the lawyers of our State;

NOW, THEREFORE, BE IT RESOLVED, that the President appoint a special committee represented from each Judicial District in our State to consider the advisability of adopting a State-wide minimum fee schedule, and if such committee concludes it advisable, then prepare such fee schedule and present the same to the next annual meeting of the Wyoming State Bar.

RESOLUTION

"WHEREAS, the annual election of a President-elect of the Wyoming State Bar to take office the year following his election would give him sufficient time to become familiar with the duties of the office and thereby contribute to the greater efficiency of the Wyoming State Bar;

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming State Bar favor the amendment of Section 2-501, W.C.S., 1945, to provide for the annual election of a President-elect.

RESOLUTION

"WHEREAS, a well-planned program of proper publicity would result in a better understanding between the lawyers and the general public and,

WHEREAS, such a program will require some funds, and,

WHEREAS, the fair and equitable manner of providing such

funds would be to increase the annual dues of the members of the Wyoming State Bar;

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming State Bar favor a one hundred per cent (100%) increase in the annual dues of its members and that such increase be made during the next session of the State Legislature.

RESOLUTION

"WHEREAS, the efficiency of the Wyoming State Bar would be increased if the standing committees were appointed for more than one year terms;

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming State Bar favor the amendment of the Rules by the Supreme Court of this State to provide that standing committees for the first three years following the amendment of such Rules be appointed in such a manner that the term of one-third of the members thereof be appointed for one year, one-third thereof for two years, one-third thereof for three years, and on the expiration of each term then the appointment be for three years, provided, however, that no person shall be permitted to serve on any of said committees for two consecutive terms.

RESOLUTION

"WHEREAS, under the provisions of Article 6 of the Constitution of the United States all treaties made by our country become the supreme law of the land superseding the Constitution itself;

WHEREAS, no treaties should threaten our own Bill of Rights which is the best in the world;

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming State Bar endorse and recommend the passage of Senate Joint Resolution No. 1 proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements as introduced in the United States Senate by Senator John W. Bricker and other United States Senators known as the Bricker Amendment.

RESOLUTION

"WHEREAS, the Wyoming State Bar during its annual meeting in Casper, Wyoming, September, 1953, was most fortunate in having an Institute on Civil Jury Trial conducted by an outstanding panel, consisting of: Clifford W. Gardner, St. Paul, Minnesota; Honorable Gustavus A. Loevinger, St. Paul, Minnesota; Honorable Sidney P. Gislason, New Ulm, Minnesota, and

WHEREAS, such Institute was not only informative and instructive, but also delightful and refreshing and was greatly enjoyed;

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming State Bar extend its thanks and appreciation to the distinguished gentlemen who participated in the panel discussion.

RESOLUTION

"WHEREAS, all other participants in our program consisting of: W. Hume Everett, President of the Natrona County Bar Association, who delivered the welcoming address; Honorable Harry Harnsberger, Wyoming Supreme Court Justice, who responded to the welcoming address; Honorable W. J. Jameson, President,

American Bar Association, who delivered an outstanding address on some of the accomplishments of the American Bar Association; Honorable Laurens Williams, President, Nebraska State Bar Association, with his able discussion on tax problems; R. R. Bostwick, with his delightful paper on "Poorest Businessman"; H. Glenn Kinsley and his talk on the American Bar Foundation; Honorable Fred H. Blume, Chief Justice, Wyoming Supreme Court, with his induction of new members; Honorable Frank E. Holman, Past President, American Bar Association, with his splendid address; Harold H. Healy as moderator for the Institute on Civil Jury Trials; and, last but not least, our President, Edward E. Murane, who all contributed in making this meeting of the Wyoming State Bar one of the most outstanding and successful meetings ever held; **NOW, THEREFORE, BE IT RESOLVED**, that the members of the Wyoming State Bar extend their thanks and appreciation to each and all of the above named parties for their contribution and participation in this meeting.

RESOLUTION

"WHEREAS, the members of the Natrona County Bar and business firms of Casper, assisted in making this convention an outstanding one;

NOW, THEREFORE, BE IT RESOLVED, by the Wyoming State Bar that the Natrona County Bar be thanked and highly commended for their work in providing for this meeting, and

BE IT FURTHER RESOLVED, that the following business firms be thanked for their assistance in preparing for this meeting: Casper Tribune-Herald, Casper Morning Star, Casper National Bank, Wyoming National Bank, Rialto Theatres, Inc., KSPR Broadcasting Station, KVOC Broadcasting Station, all law book publishers and Casper merchants and business firms who donated door prizes.

RESOLUTION

"WHEREAS it has been called to the attention of the Wyoming State Bar that various and sundry persons are engaged in the unlawful practice of law; and

WHEREAS, the American Bar Association has entered into statements of principle with various groups; and

WHEREAS, it is the desire of the Wyoming State Bar to make similar agreements with such groups in the State of Wyoming;

NOW, THEREFORE, IT IS HEREBY RESOLVED, by the Wyoming State Bar that the officers of the Association are hereby commissioned to enter into negotiations with the Life Underwriters Association, the Certified Public Accountants Association, the Realtors Association, and the Banking Association of the State of Wyoming relative to the adoption of statements of principle similar to the attached exhibits between the American Bar Association and the National Associations of Life Underwriters, Certified Public Accountants, Realtors and Bankers. (The attachments appear elsewhere in these minutes)."

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:

The 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 duly moved and seconded that the rules be suspended, that R. Dwight Wallace 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 President Murane, thereupon, declared R. Dwight Wallace elected President.

Upon secret written ballot J. O. Spangler was duly elected Vice-President and President Murane so declared.

It was duly moved and seconded that the rules be suspended, that Robert B. Laughlin be nominated for the office of Secretary-Treasurer, that nominations be closed, and that W. Hume Everett cast the unanimous ballot of the meeting for the nominee. The motion was carried and President Murane, thereupon, declared Robert B. Laughlin elected Secretary-Treasurer.

President Murane presented a gavel to President-elect Wallace and turned the meeting over to him. Mr. Wallace thanked the Wyoming State Bar for his election.

There being no further business, the meeting was adjourned at noon on September 19, 1953.

A noon luncheon meeting was held at the Gladstone Hotel and was addressed by the Honorable Frank E. Holman, Past President of the American Bar Association.

Robert B. Laughlin,
Secretary-Treasurer.

EXHIBITS ATTACHED TO THE MINUTES IN CONNECTION WITH THE LAST RESOLUTION

WHEREAS, It is not the province of the realtor to engage in the practice of law, nor of the lawyer to engage in the real estate business, nor is it in the interest of the public that they should do so; and

WHEREAS, It is in the interest of the realtor, the lawyer and the public, that a joint conference committee should be formed to implement by a statement of principles the general purposes above indicated;

NOW, THEREFORE, BE IT RESOLVED (by the undersigned) That a National Conference of Realtors and Lawyers is hereby organized and does hereby formulate a statement of principles as follows:

ARTICLE I

(1) The realtor shall not practice law or give legal advice directly or indirectly; he shall not act as a public conveyancer, nor give advice or