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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

September 10, 11 and 12, 1959

Cheyenne, Wyoming

The 1959 Annual Meeting of the Wyoming State Bar was called to order by President James O. Wilson at 9:30 a.m., September 10, 1959, in the Range Room of the Plains Hotel in Cheyenne, Wyoming. The Reverend John M. Pattison, First Presbyterian Church, Cheyenne, Wyoming, gave the invocation.

President Wilson introduced A. Pratt Kesler, President of the Utah State Bar. President Kesler addressed the membership, thanking them for their gracious invitation to attend the meeting, which was extended to him and his wife.

It was duly moved, seconded and carried that the reading of the minutes of the 1958 Annual Convention held at Jackson Lake Lodge, September 11, 12, and 13, 1958, be dispensed with, and that said minutes, as published in the Wyoming Law Journal, be approved.

President Wilson then introduced a new innovation insofar as annual meetings were concerned, by distributing among the members, printed copies of his annual report.

The Treasurer's report was then read, and it was regularly moved, seconded, and carried that the report be accepted and approved as read.

President Wilson introduced President-Elect Charles M. Crowell. Mr. Crowell informed the members that he had appointed the 1960 Wyoming State Bar Committees prior to his assumption of the Presidency in order that the committees would have an opportunity to meet during the convention and outline their activities for the coming year.

Mr. Wilson next announced the appointment of the Resolutions Committee, selecting a committee member from each Judicial District, composed of George P. Sawyer, Chairman; C. A. Brimmer, Richard A. Tobin, Thomas Morgan, Samuel Carson, James E. Barrett, and Sarah D. Steadman.

The drawing for books was then held with Addison E. Winter of Casper receiving "Equity Jurisprudence" by Pomeroy, donated by Bancroft-Whitney Company.

Mr. Wilson then called upon William F. Drew who took the place of William Brown, who was unable to be present, as moderator for the panel pertaining to Mineral Law. Moderator Drew then introduced each member of the panel and his subject as follows: Joseph R. Geraud — *Drafting Conveyances of Mineral and Royalty Interests*; Harry A. Thomp-

son — *Surface Damages*; Elmer J. Scott — *Recording vs. Land Office Filing of Oil and Gas Conveyances*; T. J. Files — *Federal Unit Agreement for Unproven Areas*; R. Lauren Moran — *Procedure in Locating and Patenting a Mining Claim*; Harold L. Mai — *Examination of Title to Mining Claims*; Frank M. Gallivan — *Federal Title Procedures*; William F. Drew — *Procedures for Examination of Title for Drilling*.

Prior to the discussion of the Mineral Law Panel, a drawing was held with Max L. Campbell of Laramie receiving a one-year subscription to either "Shepard's Pacific" or "Wyoming Citations," at his own choice, given by Shepard's Citations.

At the conclusion of Elmer J. Scott's discussion on *Recording vs. Land Office Filing of Oil and Gas Conveyances*, there being no further business to come before the meeting, the same was recessed at 12 noon until 2:30 p.m. During the noon hour, the membership and their wives attended a luncheon at Warren Air Force Base Officer's Club, and were addressed by W. Hume Everett on the subject, "The Lawyer's Fight for God and Country."

Mr. Wilson reconvened the meeting at 2:30 p.m., September 10, 1959, in the Range Room of the Plains Hotel, Cheyenne, Wyoming.

The attendance drawing resulted in door prizes being given to Stanley K. Hathaway of Torrington who received "Handling Federal Estate and Gift Taxes" by Harris, compliments of Bender-Moss Company and C. A. Brimmer of Rawlins who received "Zoning Laws and Practice" by Yokley, compliments of the Michie Company.

The remainder of the afternoon session was devoted to continuation of the Mineral Law Panel begun during the morning session, concluding with a discussion of *Federal Title Procedures* by Frank M. Gallivan.

There being no further business to come before the convention, the meeting was recessed at 5 p.m. until 9 a.m., September 11, 1959.

At 6 p.m. the members and their wives boarded busses for a very enjoyable visit to the Cloverleaf Dog Track near Loveland, Colorado.

The meeting was called to order by President James O. Wilson at 9:20 a.m., September 12, 1959, in the B.P.O.E. Home, Cheyenne, Wyoming.

President Wilson called on Oliver W. Steadman of Cody who introduced new members of the Wyoming State Bar in attendance as follows:

Leroy Vincent Amen, Frank Carpenter Mockler, Jerry M. Murray, Elizabeth Ann Oeland, John R. Smyth, David D. Uchner, and William Buge. President Wilson also introduced Thomas O. Miller, Jr., a student at the Law School, University of Wyoming. President Wilson then called upon the Honorable Glenn Parker, Justice of the Supreme Court of the

State of Wyoming, who introduced Chunilal Madan from Nairobi, Kenya, Africa, a guest of the State Department of the United States of America.

Attendance drawing was held with L. A. Bowman of Lovell receiving "Approved Appellate Briefs" by Appleman, donated by the West Publishing Company, and Robert Kelly of Laramie receiving "Valuation Under the Laws of Eminent Domain" by Orville, compliments of the Michie Company.

President Wilson then introduced William H. Robinson, Associate Dean, College of Law, University of Denver, Denver, Colorado, who spoke on the Arden House Conference and Continued Legal Education. Mr. Robinson's very practical and interesting talk was well received by the membership.

President Wilson, after thanking Dean Robinson for his address, called upon Edward E. Murane of Casper, American Bar Association Delegate from Wyoming and Past-President of the Wyoming State Bar. Mr. Murane introduced the Honorable John D. Randall, President of the American Bar Association, who then addressed the meeting. President Randall gave a very worthwhile and educational talk entitled "Why the Law is a Profession."

After thanking President Randall for taking the time to attend and address the convention, President Wilson called upon Ernest Wilkerson of Casper, Chairman of the Corporation Law Committee, who outlined the work of the Corporation Law Committee during the past year. Mr. Wilkerson then called upon E. George Rudolph, member of the Corporation Law Committee, who discussed the existing gaps, omissions, errors, obsolete and unsatisfactory provisions in the present corporation laws of Wyoming. Mr. Rudolph also discussed the proposed Model Corporation Act, concluding with the recommendation by the Corporation Committee that the Wyoming State Bar go on record as approving the adoption of the Model Corporation Act. At the conclusion of Mr. Rudolph's remarks, the meeting was thrown open for a general question and answer session following which it was regularly moved, seconded and carried that the Wyoming State Bar endorse the work of the Corporation Committee and that the Corporation Committee be directed to supply all local bars with a copy of the act so that all local bars would be able to study the act and make recommendations concerning same, pro or con, together with the necessary or suggested changes recommended by each local bar.

There being no further business to come before the meeting, the same was recessed at 11:50 until 1:30 p.m., September 11, 1959.

During the noon hour, the membership attended a luncheon in the Range Room of the Plains Hotel. President-Elect Charles M. Crowell presided during the luncheon and introduced the Supreme and District

Court Judges and all Past-Presidents of the Wyoming State Bar in attendance.

The wives of the members attended a separate luncheon, presided over by Mrs. James O. Wilson, and were entertained by a reading from the play, "Four Poster Bed," given by Mrs. Helen Williams.

President James O. Wilson called the meeting to order at 2:00 p.m., September 11, 1959, in the B.P.O.E. Home, Cheyenne, Wyoming. The attendance drawing resulted in door prizes being given to John S. Sullivan of Laramie who received "Handling Accident Cases," by Averbach, compliments of the Bender-Moss Company, and David Uchner who received "Torts, Lawyer's Edition," by Prosser, donated by West Publishing Company.

President Wilson introduced Melvin M. Fillerup of Cody, President of the Wyoming Junior Bar Association, moderator of the panel on *Office Procedure and Minimum Fees*. Mr. Fillerup in turn introduced the members of the panel and their subjects as follows: Paul Godfrey — *Economic Dilemma of the Lawyer*; Bruce Badley — *Purpose and Use of Minimum Fee Schedules*; Don Chapin — *The Retainer and How You Get It and Contingent Fees Compared to Fixed Fees and An Hourly Rate*; Jerry Housel — *Office Procedure in the Keeping Account of Time and Expenses and the Itemized Statement*.

Upon the conclusion of the panel discussion of *Office Procedure*, President Wilson thanked the members of the panel and Moderator Fillerup for their participation in the Annual State Bar Meeting and then recalled William F. Drew, moderator of the Mineral Law Panel, for continuation of that portion of the program. The Mineral Law Panel discussion was concluded with papers by Harold L. Mai and Mr. Drew.

There being no further business to come before the meeting, the same was recessed at 5 p.m. until 9 a.m., September 12, 1959.

At 7:15 p.m., Friday, September 11, 1959, the members, their wives and guests were entertained at a banquet and reception in the Range Room of the Plains Hotel, Cheyenne, Wyoming, with President James O. Wilson presiding. The group was favored with an address by Sir Leslie Munro, former Ambassador from New Zealand and President of the United Nations Assembly, who was introduced by the Honorable Alfred P. Murrah, United States Court of Appeals, Tenth Circuit. Dancing to the music of the Don Thorne Band concluded the evening's entertainment.

President James O. Wilson opened the meeting at 9 a.m., September 12, 1959, in the Range Room of the Plains Hotel, Cheyenne, Wyoming.

Jerry Housel substituted for Frank Trelease, Chairman of the Legal Education and Admissions to the Bar Committee, who was unable to attend the session and reported for that Committee. At the conclusion of

Mr. Housel's report, it was regularly moved, seconded, and carried that the report be accepted and approved as read.

President Wilson then called on R. R. Hamilton, Dean of the Law School, University of Wyoming, Laramie, Wyoming, for a report of the activities of the Law School during the past year. Mr. Hamilton could not be present but submitted his written report to the meeting.

E. J. Goppert, Sr. reported for the Uniform Commercial Code Committee in the absence of A. M. Pence, Chairman of said committee. Mr. Goppert asked that expenses be allowed to the Uniform Commercial Code Committee for continuation of its work during the coming year. It was regularly moved, seconded, and carried that Mr. Goppert's report be accepted and that the matter of expenses for the committee be referred to the Board of Commissioners for decision.

The attendance drawing resulted in Houston G. Williams of Casper receiving "The Lawyer, From Antiquity to Modern Times," by Pound, compliments of the West Publishing Company.

President Wilson introduced the Honorable Glenn R. Parker, Justice of the Supreme Court of the State of Wyoming, who in turn introduced Chunilal Madan, his guest from Kenya, East Africa. Mr. Madan addressed the convention, thanking the Wyoming State Bar for its kind invitation and gave a brief resume of his experiences as a barrister in Africa.

President Wilson, after thanking Justice Parker and Mr. Madan, called upon Byron Hirst who reported on the Wyoming Compiled Statutes, 1957, informing the membership that the statutes would be delivered in the near future. In concluding his remarks, Mr. Hirst recommended, on behalf of the Compiled Statutes Committee, that the Wyoming State Bar go on record as approving the retention of the Michie Company for future publications of the Cumulative Pocket Parts for the statutes. It was regularly moved, seconded, and carried that Mr. Hirst's report be accepted by the Wyoming State Bar.

Mr. Hirst also reported for the Unauthorized Practice of Law Committee, setting forth certain resolutions which the Unauthorized Practice of Law Committee recommended for adoption by the Wyoming State Bar. At the conclusion of Mr. Hirst's report, it was regularly moved, seconded, and carried that the following Resolutions be adopted by the Wyoming State Bar:

RESOLUTION

NATIONAL INTERPROFESSIONAL CODE FOR PHYSICIANS AND ATTORNEYS

RESOLVED, That the Wyoming State Bar hereby ratifies and approves the National Interprofessional Code for Physicians and Attorneys, a copy of which is attached to this Resolution; That the same shall be published at length as a part of the minutes

of this 1959 Annual Meeting of the Wyoming State Bar; and that complaints of violation of the principles of the Code shall be referred to the Committee on Interprofessional Relations of the Wyoming State Bar and that Committee shall confer with a like committee of the Wyoming State Medical Society so that they may jointly attempt to secure a local settlement of the complaint by cooperative action of the local bar and the medical associations. September 12, 1959.

RESOLUTION

STATEMENTS OF PRINCIPLES WITH VARIOUS BUSINESS AND PROFESSIONAL GROUPS

RESOLVED, That the Wyoming State Bar hereby ratifies and approves the Statements of Principles with respect to the practice of law formulated by representatives of the American Bar Association and various business and professional groups, copies of which are attached to this resolution; That the same shall be published at length as a part of the minutes of this 1959 Annual Meeting of the Wyoming State Bar; That the President of the Wyoming State Bar shall express by letter the appreciation of the Wyoming State Bar of the adoption of such principles by the Wyoming Bankers Association on June 13, 1959; by the Wyoming Society of Certified Public Accounts in May, 1959; and by the Southern Wyoming Life Underwriters Association August 11, 1959, requesting them to appoint a suitable committee for consideration of joint problems with the Interprofessional Relations Committee of the Wyoming State Bar; and that complaints of violation of the principles shall be referred to the Committee on Interprofessional Relations of the Wyoming State Bar and that Committee shall confer with a like committee of such various business and professional groups so that they may jointly attempt to secure a local settlement of the complaint by cooperative action of the local associations. September 12, 1959.

RESOLUTION

ATTORNEYS INSPIRING PUBLICITY

WHEREAS, Canon of Professional Ethics No. 27 duly adopted by the Wyoming State Bar in the language of the Canons of Legal Ethics of the American Bar Association forbids indirect advertisements for professional employment such as furnishing or inspiring newspaper comments; and,

WHEREAS, Opinion 42 of the American Bar Association Committee on Legal Ethics states that a lawyer may not pose for pictures portraying incidents of a case, nor furnish pictures or material to a newspaper or magazine; and,

WHEREAS, Opinion 140 of the American Bar Association Committee on Legal Ethics states that it is improper for a lawyer to inspire or furnish newspaper comments about news in which he is engaged;

NOW, THEREFORE, BE IT RESOLVED, That this Resolution be published at length as a part of the minutes of this 1959 Annual Meeting of the Wyoming State Bar; That the President of the Wyoming State Bar shall address a letter to the editors of

each daily newspaper in the State of Wyoming calling his attention to this Resolution, stating the complete and unhesitating support of the Wyoming State Bar Association of the principles of the freedom of the press and speech and the lawyers' sympathy with the efforts of Wyoming newspapers to present all the news, but suggesting that if the publication of a lawyer's name who may be connected with a newsworthy case has no special news significance, his name should be omitted from news accounts so that lawyers shall not unethically secure advertising in the news columns which they are forbidden to obtain upon a commercial basis.

September 12, 1959.

Respectfully submitted,
BYRON HIRST, Chairman
GEORGE P. SAWYER
R. DWIGHT WALLACE
WILLIAM T. SCHWARTZ

In concluding his report, Mr. Hirst outlined the "Statements of Principles" with respect to the practice of law formulated by representatives of the American Bar Association and various business and professional groups. It was regularly moved, seconded, and carried that the Wyoming State Bar adopt the "Statements of Principles" pertaining to the following subject matter: 1. COLLECTION AGENCIES. 2. INSURANCE ADJUSTERS 3. BANKS WITH TRUST FUNCTIONS 4. PUBLISHERS 5. REALTORS 6. ACCOUNTANTS 7. LIFE INSURANCE UNDERWRITERS.

A discussion was then had concerning attorneys inspiring publicity and the prohibition of advertising by lawyers and it was moved and seconded that the President send letters to all daily newspapers in the State of Wyoming setting forth the purposes and intent of the Resolution against publicity, which said motion was amended to include all newspapers in the State of Wyoming and was duly passed as amended.

Bruce P. Badley, of Sheridan, was then asked to give the report of the Necrology Committee. At the conclusion of Mr. Badley's report, it was regularly moved, seconded, and carried that the report be accepted and approved as read and spread upon the minutes of the meeting and also that the meeting stand in a moment of silent prayer in memory of our departed members.

Harry A. Thompson then reported for the Bill of Rights and Law Day Committee, detailing the activities in the program held on May 1, 1959. Mr. Thompson stressed the importance of continuing the yearly Law Day Observance and urged increased activity by the local bars toward the accomplishment of that goal. It was regularly moved, second, and carried that Mr. Thompson's report be accepted and approved as read.

Mr. Joseph H. Galicich then reported for the Corporation Law Com-

mittee in the absence of Chairman Ernest Wilkerson. It was regularly moved, seconded, and carried that the report of the Corporation Law Committee be accepted and approved as read.

Vincent A. Ross, Chairman, then reported for the Legislative and Law Reform Committee, and it was regularly moved, seconded, and carried that the report of the Legislative and Law Reform Committee be accepted and approved as read.

Richard R. Bostwick was then called upon by President Wilson for the report of the Mineral Law Committee. At the conclusion of Mr. Bostwick's report, it was regularly moved, seconded, and carried that the report be accepted and approved as read.

A. G. McClintock, Chairman, reported for the Legislative Aid Committee which said report was accepted and approved as read by motion duly seconded and carried.

Mr. William Wehrli reported for the Permanent Rules Committee, reminding the members that the term of Carlton A. Lathrop of Cheyenne had expired and that it would be necessary to appoint a new member to replace Mr. Lathrop on the Permanent Rules Committee. It was regularly moved, seconded, and carried that the report of Mr. Wehrli be accepted and approved as read and that the appointment of a member to replace Mr. Carlton A. Lathrop on the committee be referred to the Board of Commissioners.

William A. Brimmer, member of the Public Relations Committee, then reported on behalf of that committee in the absence of Chairman George B. Sawyer, and it was duly moved, seconded, and carried that the report be accepted and approved as read.

At the conclusion of Mr. Brimmer's report, President Wilson called upon George P. Sawyer of Torrington, Chairman of the Resolutions Committee, for his report. Mr. Sawyer recommended the passage of the following resolutions, the passage of each of which in turn was regularly moved, seconded, and carried.

RESOLUTION

WHEREAS, the members of the Wyoming State Bar Association are privileged to have enjoyed the hospitality of the Laramie County Bar Association and their wives, the City of Cheyenne, Francis E. Warren Air Force Base, and the B.P.O.E. No. 660 of Cheyenne during the annual meeting of the Wyoming State Bar Association at Cheyenne, Wyoming, held on September 9 - 12, 1959; and

WHEREAS, the members of the Wyoming State Bar Association are desirous of expressing their appreciation, thanks, and gratitude to all who have made the meeting so successful and pleasurable.

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming State Bar Association in session duly assembled on the 12th day of September, 1959, does hereby extend and express the appreciation, thanks and gratitude of all its members and wives to the Laramie County Bar Association and their wives, the City of Cheyenne, Francis E. Warren Air Force Base, and the B.P.O.E. No. 660 of Cheyenne and to all others who have contributed to the friendly and courteous treatment that has been extended to the Bar and the members thereof in attendance at said meeting.

BE IT FURTHER RESOLVED, that the Secretary-Treasurer of the Wyoming State Bar Association send copies of this Resolution to the parties herein named.

RESOLUTION

WHEREAS, the Wyoming State Bar Association has been fortunate in having the following outstanding men from outside the Wyoming State Bar Association speak to the Bar and its various meetings, to-wit: John D. Randall, President of the American Bar Association; William H. Robinson, Associate Dean, College of Law, University of Denver; Sir Leslie Munro, Former Ambassador from New Zealand and President of the United Nations Assembly; Honorable Alfred P. Murrah, United States Court of Appeals—Tenth Circuit; A. Pratt Kesler, President Utah State Bar Association; and W. Hume Everett, Ohio Oil Company, Houston, Texas; and

WHEREAS, the Wyoming State Bar Association is appreciative to all members of the Wyoming State Bar Association who have contributed to the success of this meeting.

NOW, THEREFORE, BE IT RESOLVED that the Wyoming State Bar Association extends its thanks and appreciation to the distinguished gentlemen and to each and all of the above named parties for their contribution and participation in this meeting.

RESOLUTION

WHEREAS, the Wyoming State Bar Association has felt the need for Continued Legal Education among its members; and

WHEREAS, the Wyoming State Bar Association has need for extending and improving its public relations program within the State of Wyoming; and

WHEREAS, the Officers of the Wyoming State Bar Association have urged such efforts among the membership for the forthcoming year.

NOW, THEREFORE, BE IT RESOLVED, by the Wyoming State Bar Association that its members give whole-hearted support to the participation in the programs of Continued Legal Education and public relations.

Respectfully submitted,
George P. Sawyer, Chairman
C. A. Brimmer
Richard A. Tobin
Thomas Morgan
Samuel Carson
James E. Barrett
Sarah D. Steadman

President James O. Wilson then called upon the Honorable Glenn R. Parker who discussed publication of the Wyoming Reports by the Prairie Publishing Company of Casper. Judge Parker, with the assistance of Edward T. Lazear, informed the meeting that many errors and inaccuracies had occurred in the past in the publication of the Wyoming Report, and suggested that the Wyoming State Bar appoint a Committee to undertake a study of future publications of the Wyoming Report with special attention being given to the problem of correcting mistakes and errors which have occurred in the Wyoming Reports in years past. It was regularly moved and seconded that the President appoint a committee to follow-up Judge Parker's suggestions concerning the publication of the Wyoming Report.

Election of officers then followed: Charles M. Crowell was named President; John P. Ilsley, President-Elect; George P. Sawyer, Vice President; and John T. Dixon, Secretary-Treasurer.

At the conclusion of the election of officers, the final attendance drawings were held with Ralph Kirsch of Cheyenne winning a Stetson Hat donated by Western Ranchmans' Outfitters Store, Cheyenne, Wyoming. Carl Lathrop of Cheyenne received a ten dollar gift certificate from Fowler's of Cheyenne, Wyoming.

President James O. Wilson then introduced Allen H. Stewart, President of the Natrona County Bar Association, who invited the Wyoming State Bar to hold its Annual Meeting in 1960 at Casper, Wyoming.

President Wilson then introduced all the new officers and relinquished the chair to Charles M. Crowell, the incoming President of the Wyoming State Bar for the 1959-60 year.

There being no further business to come before the meeting, the same was adjourned at 12 noon, Saturday, September 12, 1959.

Respectfully submitted,
John T. Dixon
Secretary-Treasurer