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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

September 10-11, 1965

Cody, Wyoming

The 49th annual meeting of the Wyoming State Bar was called to order by President Jerry W. Housel at 9:10 A.M. in the Cody Club Room, Cody, Wyoming. President Housel called upon the Reverend William Larson, Christ Episcopal Church, Cody, Wyoming, to give the invocation. Following the invocation, the membership was led in the pledge of allegiance to the Flag of the United States of America by Melvin M. Fillerup, Cody, Wyoming, Chaplain of the Cody Post.

President Housel introduced Sarah D. Steadman, President of the Park County Bar, who cordially welcomed the members of the Wyoming State Bar to Cody for the 49th annual convention.

After thanking Mrs. Steadman, President Housel introduced Bert H. Early, Executive Director, American Bar Association, Alfred J. Schweppe, Seattle, Washington, and Sam Masten, Canton, South Dakota, President of the South Dakota Bar.

Following the introduction of guests, the annual report of the president of the Wyoming State Bar was given by Mr. Housel, and following Mr. Housel's report, it was regularly moved, seconded and carried that the report be accepted and approved as read, and that President Housel be commended for the very fine job that he did as President of the Wyoming State Bar during the 1963-64 year.

John T. Dixon, Powell, Wyoming, was then called upon for the annual treasurer's report. Following the treasurer's report, it was regularly moved, seconded and carried that the report be accepted and approved as read and spread at length in these minutes.

The reading of the minutes of the 1963 annual meeting held at Laramie, Wyoming, was, upon motion duly seconded and carried, dispensed with.

The remainder of the Thursday morning session, with the exception of a 10:15-10:30 coffee break was devoted to receiving reports of the following set forth committees by the following named individuals:

Past Presidents, George J. Millett
Auditing, James L. Simonton
Bar Economics, George F. Guy
Bar Press, J. J. Hickey
Disciplinary Procedure, Hon. Norman B. Gray
Defense of Indigents, John Raper
Judiciary, W. Hume Everett
Necrology, John O. Callahan
Parole Procedure, Howell C. McDaniel

Uniform Laws and ABA, Alfred M. Pence
Public Relations, James A. Tilker
Law School, Frank Trelease

At the conclusion of the necrology report, the entire membership stood for a moment of silence in memory of the departed members.

Attendance drawing resulted in Bob Connor receiving a set of the Uniform Commercial Code donated by West Publishing Company.

Following the final committee report, President Housel called upon Edward T. Lazear, Secretary of the Board of Law Examiners, Cheyenne, Wyoming, to introduce the members of the Wyoming State Bar in attendance at the annual meeting who had been admitted to membership subsequent to the 1963 meeting. The following new members were present and introduced by Mr. Lazear:

William D. Bagley, Afton, Wyoming
Michael J. Sullivan, Casper, Wyoming
Joseph E. Vlastos, Thermopolis, Wyoming
Carl Krueger, Cody, Wyoming

Mr. Lazear gave a brief biological sketch of each of the new members, following which President Housel welcomed the new members to the Wyoming State Bar.

President Housel then recessed the meeting until 2 P.M., Thursday, September 10, 1964.

President-elect R. R. Bostwick, Casper, Wyoming, presided over the luncheon in the Cody Auditorium during the noon recess, while the wives enjoyed a fashion preview of Wyoming's Diamond Jubilee and a morning repast at the Buffalo Bill Motel Terrace, Cody, Wyoming. Following the luncheon and the ladies' brunch, the wives joined the members in the Cody Auditorium where Alice Messick, Douglas, Wyoming, addressed the gathering on Wyoming's Diamond Jubilee celebration and Bert H. Early, Executive Director, American Bar Association, spoke on "Presidential Inability and Succession."

President Housel re-convened the meeting in the Cody Club Room at 2:10 P.M., by introducing Alfred M. Pence, Laramie, Wyoming, who moved the adoption of the following resolution:

BE IT RESOLVED, that the Wyoming State Bar Association recommends that the Constitution of the United States be amended in accordance with the following principles:

(1) In the event of the inability of the President, the powers and duties, but not the office, shall devolve upon the Vice President or person

next in line of succession for the duration of the inability of the President or until expiration of his term of office;

(2) The inability of the President may be established by declaration in writing of the President. In the event that the President does not make known his inability, it may be established by action of the Vice President or person next in line of succession with the concurrence of a majority of the cabinet or by action of such other body as the Congress may by law provide;

(3) The ability of the President to resume the powers and duties of his office shall be established by his declaration in writing. In the event that the Vice President and a majority of the cabinet or such other body as Congress may by law provide shall not concur in the declaration of the President, the continuing disability of the President may then be determined by the vote of two-thirds of the elected members of each House of the Congress;

(4) In the event of the death, resignation or removal of the President, the Vice President or the person next in line of succession shall succeed to the office for the unexpired term:

(5) When a vacancy occurs in the office of the Vice President the President shall nominate a person who, upon approval by a majority of the elected members of Congress meeting in joint session, shall then become Vice President for the unexpired term.

BE IT FURTHER RESOLVED, that, the Wyoming State Bar urges the Congress of the United States to initiate an amendment to the Constitution of the United States in accordance with the foregoing provisions of this resolution.

On motion duly made, seconded and carried, the foregoing Resolution was adopted by the Wyoming State Bar.

The first attendance drawing for Thursday afternoon resulted in W. Hume Everett, Casper, Wyoming, winning a one year subscription to either *Shepard's Pacific*, or *Wyoming's Cimator*, donated by Shepard's Citations, Colorado Springs, Colorado. Bill Redle, Sheridan, Wyoming, received a set of *Jones on Evidence* donated by Bancroft-Whitney.

The remainder of the afternoon was devoted to trial procedure. President Housel introduced William H. Brown, Casper, Wyoming, Chairman of the Trial Procedure Panel, who in turn introduced the panel members, the Honorable T. C. Daniel, Casper, Wyoming, Honorable J. O. Spangler, Cody, Wyoming, A. G. McClintock, Cheyenne, Wyoming, and William D. Redle, Sheridan, Wyoming. After thanking the panel for their very thorough and excellent presentation President Housel recessed the meeting until 9 A.M. Friday, September 11, 1964.

Harvey J. Landers, Casper, Wyoming, was awarded *Encyclopedia of Trial Strategy and Tactics* at the final attendance drawing which was held during the mid-afternoon coffee break.

The evening activities commenced with a delightful social hour at the Elks Club, hosted by Husky Oil Company, Cody, Wyoming, and the trust

departments of the First State Bank and Shoshone First National Bank of Cody, Wyoming, and the First National Bank of Powell, Wyoming. The social hour was followed by a chuck wagon dinner at the Cody Auditorium. Concluding the days activities, the members and their wives retired to the High School Auditorium where they were humorously entertained by the Western Montana College theater group which presented "Stop the World, I Want to Get Off."

The 49th annual meeting of the Wyoming State Bar was re-convened in the Cody Club Room at 9:15 A. M. by President Housel. The first attendance drawing of the morning was for a four volume set of *Uniform Commercial Code* donated by the West Publishing Company, which went to Henry A. Burgess, Sheridan, Wyoming. The final two attendance drawings of the annual meeting resulted in Houston C. Williams, Casper, receiving *Federal Tax Return Manual* donated by Commerce Clearing House and Harry A. Thompson, Casper, winning *Averbach's Handling of Accident Cases*, donated by Bender-Moss.

President Housel then called upon the following individuals who reported on behalf of the committee set forth below:

Harold Joffe, ABA Cooperation
Leonard McEwen, Internal Revenue
Harold S. Bloomenthal, Administrative Law
Henry T. Jones, County Attorneys
Robert N. Chaffin, Eminent Domain
Arthur Kline, Judicial Salaries
R. S. Lowe, Minor Courts
R. R. Bostwick, Legal Education
J. B. Sullivan, Legislation

Prior to resumption of committee reports after the mid-morning coffee break, President Housel introduced Lloyd E. Wright, Scottsbluff, Nebraska, President of the Nebraska State Bar.

At the conclusion of the committee reports, President Housel recessed the meeting until 2 P. M. Friday, September 11, 1964.

During the noon recess, members and their wives adjourned to the Cody Auditorium for a luncheon presided over by Elmer J. Scott, Vice President, Worland, Wyoming, where they were privileged to hear an address by the Honorable Byron R. White, Associate Justice, United States Supreme Court.

Following Justice White's address, President Housel re-convened the meeting at 2 P. M. at the High School Auditorium where Alfred J. Schweppe, Seattle, Washington, Moderator, and David J. Mays, Richmond, Virginia, and Revius O. Ortique, Jr., New Orleans, Louisiana, members presented a Panel on Civil Rights. At the conclusion of the panel, which was attended not only by the members and their wives, but by several classes of the Junior and Senior High School of Cody, and the public at large, President Housel thanked all three members for taking time from their busy schedules to attend the

annual meeting of the Wyoming State Bar, and commended them on the very excellent job done.

After a short break to allow for the non-members of the State Bar to depart from the auditorium, President Housel called upon Mr. Sterling A. Case, Cheyenne, Wyoming, chairman of the Resolutions Committee, who reported on behalf of that committee. At the conclusion of Mr. Case's report, it was regularly moved, seconded and carried that the following resolutions be adopted:

WHEREAS Fred S. Fobes, having served the citizens of Wyoming and the members of the Wyoming Bar for nearly 59 years as Deputy Clerk and Clerk of the Supreme Court of Wyoming, and

WHEREAS, the Wyoming Bar regards it fitting and proper to recognize and commend him for his long and faithful service and for his dedicated devotion to duty, being at all times courteous and helpful to each and every attorney in this State whose practice has carried him into the State's high tribunal, and

WHEREAS, now, Mr. Fobes, upon the advice of his physician and by reason of his health, has tendered his resignation effective September 1, 1964.

NOW, THEREFORE, BE IT RESOLVED: That we do hereby acknowledge with gratitude the years of faithful and efficient service rendered by Fred S. Fobes.

BE IT FURTHER RESOLVED: That a copy of this resolution be entered upon these proceedings and that the Secretary-Treasurer of the Wyoming State Bar send a copy of this resolution to Mr. Fred S. Fobes.

* * * *

WHEREAS, the members of the Wyoming State Bar and their wives, are privileged to have enjoyed the hospitality and generosity of the Park County Bar Association, the First State Bank of Cody, the Shoshone First National Bank of Cody, the First National Bank of Powell, Husky Oil Company of Cody, Mr. Leo J. Kenney, the Title Guaranty Company of Wyoming and its local agents, the Fifth Judicial District Bar Association, the Elks Club of Cody, Mr. and Mrs. Alan K. Simpson, the Cody Club, the American Legion Post No. 20, the Western Montana College Theatre Group of Dillon, Montana, the Shoshone Title Insurance and Abstract Company, Inc., of Cody, the Toastmaster's Club of Cody, Bancroft-Whitney Company of San Francisco, California; Bender-Moss Company, San Francisco, California; Commerce Clearing House, Hillside, New Jersey; Prentice-Hall, Inc., Englewood Cliffs, New Jersey; Shepard's Citations, Colorado Springs, Colorado; West Publishing Company, St. Paul Minnesota; and the City of Cody, during the 49th annual meeting of the Wyoming State Bar at Cody, Wyoming, held on September 10-11, 1964, and

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

NOW, THEREFORE, BE IT RESOLVED: That the Wyoming State Bar in session duly assembled on the 11th day of September,

1964, does hereby extend and express the appreciation, thanks and gratitude of all its members and their wives who have attended the said annual meeting, to the members of the Park County Bar Association and their wives, the First State Bank of Cody, the Shoshone First National Bank of Cody, the First National Bank of Powell, Husky Oil Company of Cody, Mr. Leo J. Kenney, the Title Guaranty Company of Wyoming and its local agents, the Fifth Judicial District Bar Association, the Elks Club of Cody, Mr. and Mrs. Alan K. Simpson, the Toastmasters Club of Cody; the Cody Club; Fred Coe Post No. 20 of the American Legion; the Western Montana College Theatre Group of Dillon, Montana; Shoshone Title Insurance and Abstract Company, Inc., of Cody; Bancroft-Whitney Company of San Francisco, California; Bender-Moss Company, San Francisco, California; Commerce Clearing House, Hillside, New Jersey; Prentice-Hall, Inc., Englewood Cliffs, New Jersey; Shepard's Citations, Colorado Springs, Colorado; West Publishing Company, St. Paul, Minnesota; and the City of Cody 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, and

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

* * * *

WHEREAS, the Wyoming State Bar has been fortunate in having the following outstanding men from outside the Wyoming State Bar speak to the members at their various meetings, to-wit: The Honorable Bert H. Early, Executive Director, American Bar Association; the Honorable Byron R. White, Associate Justice, United States Supreme Court; the Honorable Alfred J. Schweppe; the Honorable David J. Mays, and the Honorable Revius O. Ortique, Jr., and

WHEREAS, the Wyoming State Bar is greatly appreciative of the fine work of these gentlemen which has contributed much to the successful conclusion of this 49th annual meeting.

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

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

* * * *

WHEREAS, by invitation of the Park County Bar, the student bodies of the Cody High School and Junior High School attended two joint sessions of the Wyoming State Bar at which the Honorable Byron R. White, Associate Justice of the United States Supreme Court was the speaker and at which the Honorable Alfred J. Schweppe, Moderator, The Honorable David J. Mays and the Honorable Revius O. Ortique, Jr., panelists, conducted a Panel on Civil Rights;

WHEREAS, all members of the above named student bodies conducted themselves in a quiet, orderly, dignified and attentive manner throughout both sessions,

NOW, THEREFORE, BE IT RESOLVED that the Wyoming Bar does hereby recognize and commend all of the participating students and also the members of the faculties who organized the arrangements, for their manifestation of good citizenship on these occasions.

BE IT FURTHER RESOLVED: That a member of the Park County Bar be designated to read this Resolution to the student bodies aforesaid in open assembly and that copies of this Resolution be presented to both the Cody High School and Junior High School of Cody, Wyoming.

Respectfully submitted,

THE RESOLUTIONS COMMITTEE OF THE
WYOMING STATE BAR ASSOCIATION.

Sterling A Case, Chairman

Cuba Y. Hollaway

Lyman B. Yonkee

Daniel P. Svilar

President Housel then called upon Ross D. Copenhaver, Powell, Wyoming, Chairman of the Uniform Jury Instruction Committee, who made the following motion:

On behalf of the Committee on Uniform Jury Instructions, I move that the pattern jury instructions as previously prepared and submitted to the Bar in 1964, be adopted as the recommended instructions of this committee and that the use of such instructions, while not mandatory on either the bench or the bar, be recommended wherever they are applicable.

Mr. Copenhaver's motion having been duly seconded was carried.

The election of officers was the final item on the agenda of the business session of the Wyoming State Bar. George F. Guy, Cheyenne, Wyoming, was elected vice president for the 1964-65 year. Following the election of Mr. Guy, it was regularly moved, seconded and carried that the secretary be instructed to cast a unanimous ballot for Elmer J. Scott, Worland, Wyoming, as president-elect of the Wyoming State Bar, A. M. Pence as ABA delegate and John T. Dixon, Powell, Wyoming, as secretary-treasurer of the organization.

By virtue of the rules governing the conduct of the Wyoming State Bar, R. R. Bostwick, Casper, Wyoming, the 1963-64 president-elect became president without election.

There being no further business to come before the meeting, same was adjourned at 5:15 P. M., September 11, 1964.

The members and their wives were entertained at a social hour at the Elks Club hosted by the Fifth Judicial District Bar, and the Title Guaranty Company of Wyoming and its local agents, the Shoshone Title Insurance and Abstract Company, Cody, Wyoming, following which the annual banquet was held in the Cody Auditorium. During the banquet, President Housel pre-

sented fifty year plaques to the Honorable S. Harnsberger, Cheyenne, Wyoming, L. N. Hagood, Casper, Wyoming, Frank A. Heckel, Cheyenne, Wyoming, and Thurman W. Arnold, Washington, D. C. Messers. Hagood, Heckel and Arnold being unable to attend, their plaques were presented to Charles M. Crowell, the Honorable Ewing T. Kerr, and the Honorable Byron R. White, respectively.

Following presentation of the plaques, President Housel handed the gavel of office to the President of the Wyoming State Bar, R. R. Bostwick, Casper, Wyoming, the incoming 1964-65 president. President Bostwick, in accepting his role as such, and on behalf of the entire membership of the Wyoming State Bar, thanked President Housel for the very excellent job he had done during the past year.

Dancing at the American Legion Club concluded the evening's entertainment.

Respectfully submitted,

JOHN J. DIXON
Secretary-Treasurer