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News of Bench and Bar

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NEWS OF BENCH AND BAR

At the second annual meeting of the Fourth District Bar Association, held at Milan Sanitarium, in Ripley County, the evening of November 20, James M. Ogden, member of the Board of Managers of the Indiana State Bar Association and president of the Indianapolis Bar Association, was the principal speaker. His subject was, "Instructions to Clients and Witnesses." He dealt in a practical manner with details often overlooked in preparation for trial of a jury case having to do with the appearance and conduct of a witness and tending to create a favorable impression on the jury. His talk was illustrated by anecdotes from personal experience,

William A. Pickens, President of the Indiana State Bar Association, was the only other speaker. He brought forcibly to the attention of the lawyers present their obligation of leadership in the life of their community.

About sixty persons were present, including Mrs. Ogden, Mrs. Pickens, and the wives of the members of the bar of Ripley County. Frank N. Richman, of Columbus, presided, and Donald P. Shinn, also of Columbus, acted as secretary pro tem.

Officers elected for the coming year are as follows:

Judge Edward S. Roberts, Madison, President.

Byron F. Mouser, Madison, Secretary.

Paul V. Wycoff, Batesville, Treasurer.

The following Vice-Presidents, one for each of the eleven counties in the district:

Julian Sharpnack, Bartholomew County.

James M. Jones, Brown County.

Hugh Wickens, Decatur County.

Estal G. Bielby, Dearborn County.

Oscar B. Abel, Jackson County.

John McGregor, Jefferson County.

Frank E. Little, Jennings County.

Ivory J. Drybread, Johnson County.

William D. Ricketts, Ohio County.

Robert A. Creigmile, Ripley County.

Mrs. Gretchen Hall Cole, Switzerland County.

FIRST DISTRICT.

The regularly month dinner of the Gibson County Bar Association was held on Saturday, November 6, at the Pullman Hotel, in Princeton. A significant accomplishment of the Gibson County Bar Association at this meeting was the adoption of the requirements for an examination as a requisite to the practice of the law in keeping with the uniform admission requirements presented by the Indiana State Bar Association. These rules are now enforced in fifty-two counties of the state. A grievance committee was also appointed consisting of H. C. Kirk, T. M. McDonald and M. C. Embree. The committee to handle the application for admission to the bar consists of S. K. Trippet, M. C. Embree and T. M. McDonald. A committee of five members was appointed to revise the constitution and by-laws, together with the fee schedule. This committee consists of Marsh T. Lewis, S. L. Vandevveer, S. K. Trippet, M. C. Embree and Clyde McGary. There was a large attendance at the meeting. Vice-President Henry Kister presided. Mr. Henry Walker, of the Vanderburg County Bar Association, made the principal address.

The Vanderburg County Bar Association held its regular monthly

meeting at the Vendome Hotel in Evansville on Monday, November 15. State Representative-elect French Clements and Charles LaFollette addressed the meeting on various phases of legislative problems.

SECOND DISTRICT.

Wilmer T. Fox, of Jeffersonville, lectured before the law students of Indiana University on Thursday evening, November 18. His subject was "Law Office Management."

The Daviess County Bar Association held a most successful meeting Tuesday, November 16, at Washington, Indiana. Charles G. Gardiner, President, presided at the meeting.

FOURTH DISTRICT

The regular monthly meeting of the Bartholomew County Bar Association was held on Saturday, November 13, at Columbus, Indiana. The officers elected were: William C. Duncan, President; Charles S. Baker, Vice-President; and Donald P. Shinn, Secretary-Treasurer.

SEVENTH DISTRICT

Charles E. Cox and C. C. Shirley have been proposed by the Board of Managers of the Indianapolis Bar Association to assist in the defence of the Municipal Court in the suit now pending which attacks the constitutionality of this court. The Indianapolis Bar Association was mainly responsible for the passage of the legislation that created the court. The action against the court was brought by Alvin Mosley, Justice of Peace. It was filed in the court of Judge Theophilus Moll who has asked that the case go over to the general term for assignment to that court. Martin M. Hugg has been retained as counsel for the four Municipal Judges. James M. Ogden, President of the Indianapolis Bar Association, says that the Bar Association feels that it has a moral responsibility in defending the court.

The Indianapolis Bar Association held a most successful meeting at the Columbia Club on Wednesday, November 10. The occasion was known as "Judges' Night". Judge Robert Baltzell of the United States Federal Court and the judges of the Indiana Supreme and Appellate Courts together with judges resident in Marion County were the guests of the association. The principal speaker of the evening was Mitchell D. Follansbee of Chicago, who spoke on "The Pleasures of Practicing Law". Mr. Follansbee said that the people must think well of lawyers since they send lawyers to the legislature "to make more and more laws to the profit and glory of our profession". He also suggested that women are better clients than men; "Men sometimes pay what we ask," he said, "Women ask to pay more." Mr. Follansbee had a word of reminiscence or gentle irony for many phases of our profession. "Labor, capital, the poor and the proud, the reformed and the unreformed all must come to the lawyers to tell in confidence their secrets, which if disclosed would ruin reputations and wreck homes." He pointed out that lawyers had the happy privilege of being paid for advice which most people are only too glad to give away.

The nominating committee of the Indianapolis Bar Association announced the following nominations for officers of the association this coming year. In as much as there is no contest on these nominations it appears that the nomination is equivalent to election. Samuel Ashby, former city corporation counsel is nominated for President; Emsley W. Johnson and Michael Foley were named Vice-Presidents; Don S. Morris,

Treasurer and Remster A. Bingham and Judge Louis B. Ewbank members of the Executive Committee.

EIGHTH DISTRICT.

The law library at the Court House in Portland, Indiana, has received a fine oil painting of the former Judge John M. Smith. The portrait is presented to the library by the children of Frederick Bimel in honor of his memory. Judge Smith and the late Frederick Bimel were close personal friends for many years.

The Muncie Bar Association held its monthly meeting at the Elk's Club in Muncie on Friday, November 5th. The meeting was preceded by luncheon. The principal speaker was Mr. Paul E. Leffler who spoke on "Bulk Sales". Francis A. Shaw, President of the Muncie Bar Association, presided.

The Muncie Foundation, a public trust to promote educational and charitable purposes in Delaware County has been established. It is modeled after the Indianapolis Foundation. It has been greatly furthered by the efforts of the Chamber of Commerce of Muncie and the Delaware County Bar Association in co-operation with a number of banks and trust companies.

The Wells County law library received a most valuable gift from Abram Simmons for which the Wells County Bar Association extended a vote of thanks. The gift consists of a complete set of the Acts of Indiana General Assembly since 1840.

NINTH DISTRICT.

Charles M. McCabe, prominent lawyer of Crawfordsville, Indiana, has been appointed a Special Master in Chancery to hear evidence in the action brought by Sherman and Ellis Company against the Indiana Mutual Casualty Company. The litigation is said to involve \$750,000.00.

TENTH DISTRICT.

The Gary Bar Association held a most successful meeting at the Gary Commercial Club on Thursday, October 21. Seven of the members of the Gary Bar Association were present and in addition to these there were a large number of out of town guests. The speaker of the evening was Dean Henry M. Bates of the University of Michigan Law School, whose subject was "The Courts and Unconstitutional Legislation". Dean Bates emphasized the lack of some scientific fact-finding devise in our present judicial organization stating that the judicial branch of our government was more trusted by the people than either the legislative or executive branches. Dean Bates traced the history of constitutional law and the functions of the court in this country. He pointed out that under the "due process" clause and the various provisions in the Bill of Rights, many cases came before the courts which could not be defined solely on legal principles that had been established hitherto. Inevitably constitutional interpretation of new legislation must consider the social and economic conditions of the day in determining whether such legislation violates the "due process" of law.

The Tippecanoe County Bar Association held its regular weekly meeting on Tuesday, November 16. William Mitchell was elected President; Joseph A. Andrew, Vice-President; and John B. Hudson, Secretary-Treasurer. The association voted to hold weekly meetings with luncheon every Saturday noon.

The Gary Bar Association held another successful meeting in its present series of meetings at which distinguished workers in the law are asked

to make addresses. Dean Bates of the Michigan Law School was the speaker at the first meeting in October and Professor Oliver S. Rundell of the University of Wisconsin was the speaker at the second meeting on Friday, November 19th. Professor Rundell's theme was "Recent Changes in English Real Property Law". Over a hundred lawyers from different cities in the Calumet region attended. Graduates of the University of Wisconsin Law School gave a reception for Professor Rundell at 5:30 on Thursday preceding the meeting of the bar association.

These admirable meetings of the Gary Bar Association have been the subject of much comment and commendation by lawyers throughout the state. The program for future meetings this fall was published in the Journal last month. Surely the Gary Bar Association deserves great credit for arranging the considerable series of meetings at which they have provided an address by a lawyer of well known ability who comes to speak on a subject of real professional importance.

ELEVENTH DISTRICT.

The Cass County Bar Association held its regular meeting on Saturday, October 25. The association voted unanimously against the four proposed constitutional amendments that were submitted to the voters at the last election.

TWELFTH DISTRICT.

The Dekalb County Bar Association held its regular monthly dinner at the Auburn Country Club on Tuesday, October 26th. Walter S. Penfield of Washington, D. C., formerly a practicing lawyer at Auburn, was the principal speaker. He gave a most interesting address about American lawyers who had professional careers in foreign countries. W. D. Stump, President of the bar association, acted as toastmaster.

Judge Sol A. Wood and Judge Charles A. Ryan, of Allen County, have approved the uniform admission rules drawn up by the Indiana State Bar Association. The examining committee for the coming year is composed of James H. Rose, Clyde Reed, Arthur Perry, Ben F. Heaton and Fred B. Shoaff.

The annual meeting of the Allen County Bar Association was held on Thursday, October 14th, at Fort Wayne, in the dining room of the Plymouth Congregational Church. Honorable Dan W. Sims was the principal speaker. The officers for the coming year were as follows: President, James M. Barrett, Sr.; First Vice-President, E. G. Hoffman; Second Vice-President, William N. Ballou; Secretary, C. Byron Hayes; Treasurer, Carl A. Osterman; Trustees, O. N. Heaton and H. L. Townsend.

THIRTEENTH DISTRICT.

The Laporte County Bar Association held its annual dinner at Laporte, Indiana on Monday, November 8. The principal address was delivered by Thomas Francis Howe, Chicago and Baltimore attorney. Mr. Howe is also a member of the Executive Committee of the American Bar Association. The meeting was most successful in every way. Among the out-of-town guests were William A. Pickens, President of the Indiana State Bar Association, and W. W. Miller, President of the Gary Bar Association.

Over eighty members and guests were present. Mr. Howe spoke on the "Ethical Standards of the Legal Profession." He deplored the growing practice of Motor Clubs and banks to give legal advice as a part of their general services on a commercial basis. He suggested that this involved an intrusion on the proper field of the lawyer and that it commercialized legal affairs. President William A. Pickens, President of the State Bar

Association, spoke about the work of the Bar Association generally, emphasizing particularly the present efforts of the association to further the amendments to the criminal code at the next session of the legislature. President J. J. Farnam presided at the meeting. All members and guests took an equal delight in eating the excellent dinner and listening to the music which was also provided for their entertainment.

The Michigan City Bar Association is again active in the support of a bill drawn by Miller, Mullen & Krueger, which provides for the separation of the superior courts in Laporte and Porter counties. At present there is one Superior Court for both counties. The Michigan City Bar Association intends to work for the passage of this law at the coming session of the legislature.

The Michigan City Bar Association held an enjoyable meeting on November 16. Dr. Charles A. Phillips, of Notre Dame University, was invited to make the address of the evening, but he was unable to come. Judge H. B. Tuthill, President of the Michigan City Bar Association, presided. After dinner the members engaged in an informal discussion of legal affairs.

A somewhat extraordinary incident has occurred which "might provoke in the sinful a smile." The Rev. George Perry, Presbyterian minister, has been admitted to the practice of the law in Fulton County and was appointed by the court on November 11 to defend Emmett Walker, who is charged with violation of the liquor law and gambling. It is to be clearly understood that Mr. Perry did not ask this kind of legal employment, but that he was appointed by the court when the defendant declared that he could not afford to hire a lawyer himself.

OBITUARIES.

William McClintic, of Peru, Indiana, died at Indianapolis, November 9. A memorial service was held in honor of his memory on November 19. This service was attended by the members of the Miami County Bar Association in a body and the Bar Association adopted resolutions in honor of his memory. Mr. McClintic was admitted to the bar of Miami County in 1879, and for the past forty-seven years he has been an active member of this bar. For many years Mr. McClintic was a partner of the late Judge Lyman O. Walker, and recently he was a partner of Nott Antrim. Through his long years of practice in his native city, and in all of his associations with his neighbors, his fellow workers and his clients, Mr. McClintic was universally acknowledged to be an honest man, a competent lawyer, and a kindly friend.

Allison Grant McNabb, of Sullivan, Indiana, died at his home on Friday, November 5, in the sixty-first year of his age. Mr. McNabb had practiced law in Sullivan, Indiana, for nearly thirty years. He was a graduate of Union Christian College at Merom. For a considerable period he was a law partner of the late Silver Chaney and of William R. Nesbit. He was a past president of the Sullivan County Bar Association.

George J. Muller, former Deputy Attorney General of Indiana and member of the Knox County Bar, died on October 17, 1926. Mr. Muller was born December 18, 1898, and had made a most remarkable record in his chosen profession for so young a man. He was a graduate of Indiana University and of Indiana University School of Law. It was universally believed by his associates that he would have achieved the high promise of his early years if he had been spared a longer life. The Knox County Bar Association adopted resolutions in honor of his memory.