

3-1928

## News of Bench and Bar

Follow this and additional works at: <https://www.repository.law.indiana.edu/ilj>



Part of the [Legal Profession Commons](#)

---

### Recommended Citation

(1928) "News of Bench and Bar," *Indiana Law Journal*: Vol. 3 : Iss. 6 , Article 14.

Available at: <https://www.repository.law.indiana.edu/ilj/vol3/iss6/14>

This Special Feature is brought to you for free and open access by the Law School Journals at Digital Repository @ Maurer Law. It has been accepted for inclusion in *Indiana Law Journal* by an authorized editor of Digital Repository @ Maurer Law. For more information, please contact [rvaughan@indiana.edu](mailto:rvaughan@indiana.edu).



**JEROME HALL LAW LIBRARY**

INDIANA UNIVERSITY  
Maurer School of Law  
Bloomington

## NEWS OF BENCH AND BAR

(Our readers are indebted to Wilmer T. Fox, Esquire, of Jeffersonville, for the following legal document, unusual in character, and exquisite in content.)

### A LEGACY

In the pocket of an old ragged coat belonging to one of the insane patients of the Chicago poorhouse there was found, after his death, a will. According to Barbara Boyd in the Washington Law Reporter, the man had been a lawyer, and the will was written in a firm, clear hand on a few scraps of paper. So unusual was it that it was sent to another attorney; and so impressed was he with its contents that he read it before the Chicago Bar Association, and a resolution was passed ordering it probated. And it is now on the records of Cook County, Illinois.

I, Charles Lounsberry, being of sound and disposing mind and memory, do hereby make and publish this last will and testament, in order, as justly as may be, to distribute my interest in the world among succeeding men.

That part of my interests which is known in law and recognized in the sheep-bound volumes as my property, being inconsiderable and of none account, I make no disposition of in this, my will. My right to live, being but a life estate, is not at my disposal; but, these things excepted, all else in the world I now proceed to devise and bequeath.

Item: I give to good fathers and mothers, in trust for their children, all good little words of praise and encouragement, and all quaint pet names and endearments; and I charge said parents to use them justly, but generously, as the deeds of their children shall require.

Item: I leave to children inclusively, but only for the term of their childhood, all and every the flowers of the fields and the blossoms of the woods, with the right to play among them freely according to the customs of children, warning them at the same time against thistles and thorns. And I devise to children the banks of the brooks and the golden sands beneath the waters thereof, and the odors of the willows that dip therein, and the white clouds that float high over the giant trees. And I leave the children the long, long days to be merry in, in a thousand ways, and the night and the train of the Milky Way to wonder at, but subject, nevertheless, to the rights hereinafter given to lovers.

Item: I devise to boys, jointly, all the useful idle fields and commons where ball may be played, all pleasant waters where one may swim, all snow-clad hills where one may coast, and all streams and ponds where one may fish, or where, when grim winter comes, one may skate, to hold the same for the period of their boyhood. And all meadows, with the clover-blossoms and butterflies thereof; the woods with their appurtenances; the squirrels and the birds and echoes and strange noises, and all distant places, which may be visited, together with the adventures there found. And I give to said boys each his own place at the fireside at night, with all pictures that may be seen in the burning wood, to enjoy without let or hindrance or without any encumbrance or care.

Item: To lovers I devise their imaginary world, with whatever they may need, as the stars of the sky, the red roses by the wall, the bloom

of the hawthorn, the sweet strains of music, and aught else they may desire to figure to each other the lastingness and beauty of their love.

Item: To young men jointly, I devise and bequeath all the boisterous, inspiring sports of rivalry, and I give to them the disdain of weakness, and undaunted confidence in their own strength. Though they are rude, I leave to them the power to make lasting friendships, and of possessing companions, and to them exclusively, I give all merry songs and grave choruses to sing with lusty voices.

Item: And to those who are no longer children or youths or lovers, I leave memory; and bequeath to them the volumes of the poems of Burns and Shakespeare and of other poets, if there be others, to the end that they may live the old days over again, freely and fully without tithe or diminution.

Item: To our loved ones with snowy crowns, I bequeath the happiness of old age, the love and gratitude of their children until they fall asleep.

(Signed) CHARLES LOUNSBERRY.

#### FIRST DISTRICT

All the public High Schools in Evansville were entered in the oratorical and essay contests on the constitution. The interest in these contests in Vanderburg County is very great. John O. Chewning, Superintendent of Schools at Evansville, is forwarding the work. John L. Sanders, of Evansville, is chairman for the contests on behalf of the Indiana State Bar Association.

#### SECOND DISTRICT

The annual meeting of the Daviess County Bar Association was held at Vincennes on Thursday, February 9th. The following officers were elected:

President, Charles G. Gardiner.

Vice-President, Flavian A. Seal.

Treasurer, Thomas D. Slimp.

Secretary, John S. Hastings.

Plans were made for the annual banquet of the Daviess County Bar Association to be held at an early date, when a speaker of national prominence will be invited.

#### THIRD DISTRICT

The corner stone of the new court house at Corydon, Indiana, was laid on Saturday, February 15th. The ceremony was under the auspices of the Corydon Bar Association. The principal address was made by James A. Van Osdol, President of the Indiana State Bar Association.

#### SIXTH DISTRICT

The Henry County Bar Association held a successful dinner and meeting on Friday, February 1st, at Newcastle. V. A. Leslie, of Indianapolis, addressed the association on the best method of using legal textbooks, law digests and encyclopaedias.

## SEVENTH DISTRICT

The *Indianapolis News* printed an editorial on February 27th in which it pointed out that while the shyster was universally condemned by bar associations and leading lawyers, there was no similar condemnation visited upon those prominent members of the legal profession who had been guilty of occasional breaches of honorable methods in their profession. The editorial advocated increased teaching of legal ethics and the inculcating of morals as a means toward raising the standards of the bar. It expressed the opinion that the elimination of shysters alone was not sufficient; and that while increased technical training for the progress of law was of the first importance, still thorough training in legal ethics and morals was essential.

The graduating class of the Indiana Law School of Indianapolis held its graduating exercises at the Hotel Lincoln on Wednesday, February 1st. George M. Barnard of Indianapolis advocated several changes in criminal law. Among other things he urged that there be a public defender as well as a prosecutor. Other officers at the dinner were James H. Rhomach, dean of the Indiana Law School; Howard A. Adams, John W. Kern, Fremont Alford and James M. Ogden.

## NINTH DISTRICT

Miss Elizabeth Joyce, daughter of John B. Joyce, president of the Howard County Bar Association, was accidentally killed in an automobile accident recently. The driver was held on bond on a charge of manslaughter. Mr. Joyce was asked if he would file an affidavit to charge the driver with manslaughter. He answered, "No one has asked me yet to sign an affidavit, but should they do so I will refuse to sign. I don't think he intended to hurt anyone. He may have been driving a little fast but then there are a hundred people in Kokomo who do that every day. I don't believe he's guilty of any crime."

The annual meeting of the Boone County Bar Association was held on Wednesday, February 29th. All of the members were present with the exception of two. The following officers were elected:

President, Charles D. Orear.

Vice-President, Roy W. Adney.

Treasurer, William H. Smith.

Secretary, Guy M. Veris.

The Howard County Bar Association held a meeting on February 13th to arrange for the program of its future meetings. President John B. Joyce announced that the following would be the principal speakers at the coming meetings: C. T. Brown, March 3; Curtis W. Roll, April 10; Conrad Wolf, May 8 (public meeting); Glen Hillis, June 12; Fred J. Byers, September 11; Floyd McClure, October 9 (public meeting); Albert H. Cole, Peru, November 13.

O. C. Phillips was the principal speaker at the meeting on February 13th. The subject of his address was "The First Articles of the Bill of Rights." Following this address there was a lively discussion of the points that had been raised.

The Fountain County Bar Association held its annual meeting at Covington on Monday, February 13th. J. Wesley Whickcar of Attica, president of the association, presided. The principal address was delivered

by Lucas Nebeker who entertained the members with interesting reminiscences of his experience of sixty years in the practice of the law. The following officers for next year were elected:

President, John P. Brissey.  
Vice-President, Will B. Reed.  
Secretary-Treasurer, Claud B. Philpott.

#### TENTH DISTRICT

The annual meeting of the Tenth District Bar Association was held at Lafayette on Saturday, February 11th. Over 75 members were present. Virgil S. Reiter of Hammond, president of the association, presided. The main address was delivered by Henry A. Converse, who spoke on "The Constitution and Abraham Lincoln."

John B. Peterson, veteran Crown Point lawyer, and former congressman, made the principal address at the dedication of the Lake County criminal court on Monday, February 13th. Mr. Peterson recalled the days when there was only one court in the county and that court sat for one week every six months. In contrast with this there are now six courts of civil jurisdiction and one court of criminal jurisdiction in the county and these courts are in session all the time. A large number of lawyers from different parts of northern Indiana were present at the ceremonies. Judge Willis C. McMahan of the Indiana Appellate Court delivered the dedicatory address. Attorney General Arthur L. Gilliom made one of the principal speeches. George E. Hershman, member of the Highway Commission, was the chairman for the day. In his address, Judge McMahan condemned the delay in the administration of justice and urged greater co-operation among all law enforcement agencies in the state. Attorney Gilliom condemned those persons who failed to vote and still complained about the evils of bad government in Indiana.

The monthly meeting of the Gary Bar Association was held on Saturday, February 20th. More than 65 lawyers of Gary and neighboring cities were present. The association had dinner at the Hotel Gary and were addressed at the meeting afterwards by Dean H. S. Richards of the Law School of the University of Wisconsin.

W. W. Miller, President of the Gary Bar Association presided. Dean Richards' address was on "The Doctrine of Ultra Vires in Corporation Law." Dean Richards is an authority in the field of corporation law. He is the author of a leading casebook on this subject. Dean Richards was the guest of Mr. Miller on Friday night preceding the meeting and was taken through Gary and the surrounding country on a motor trip on Saturday morning.

The annual banquet and meeting of the Tippecanoe County Bar Association was held on Tuesday, February 21st. W. C. Mitchell, president of the Association acted as toast master. After dinner the main part of the evening was given over to entertainment which took the form of songs, piano recitals and little dramatic pieces. The following made brief talks: Dan W. Simms, A. K. Sills, E. Burleigh Davidson, Joseph B. Ross, Thomas W. Field, and Walter B. Clark.

The Porter County Bar Association held a most successful meeting at Valparaiso on Monday, February 20th. William Daily, President of the Associated appointed Messrs. Loring, Bailey and Freund to be members

of a committee to draft rules for admission to the bar in Porter County. It was the opinion of the association that some inferior applicants were being admitted to the bar in Porter County. The association is anxious to prevent this in the future.

#### ELEVENTH DISTRICT

Members of the Huntington County Bar Association entertained their wives and other members of their families at a banquet on Monday, February 27th. The principal address was made by Rev. Harry Allburt. The subject for discussion was "Religion in Law." Every member was requested to invite the pastor and the pastor's wife of his particular church. The discussion proved most interesting.

#### TWELFTH DISTRICT

A meeting of the LL.B. Club of Allen County was held on Wednesday, February 22nd. The club had dinner together at 6:30 and then enjoyed a very successful meeting which was addressed by Samuel D. Jackson, former prosecuting attorney of Allen County. The LL. B. Club of Allen County is composed of the younger members of the bar of Allen County who have graduated from a recognized law school with the usual law degree.

#### OBITUARIES

Inman H. Fowler, 94 years of age, died at his home on Thursday, February 9th, at Spencer, Indiana. Mr. Fowler was the dean of the Spencer Bar Association and was a prominent attorney in that city for many years. He was a graduate of Indiana University, class of 1871. He served as State Senator for several terms and took a prominent part in legislation during that time. In 1875 Mr. Fowler organized the Exchange Bank of Spencer. Resolutions in honor of his memory were passed by the Owen County Bar Association. A large number of prominent lawyers from different parts of the state attended his funeral. Mr. Fowler was president of the Owen County Bar Association at the time of his death.

James T. V. Hill, colored, age 73, died at his home on Monday, February 20th. He had been a practicing lawyer in Indianapolis for over 40 years. At one time he was a deputy prosecuting attorney for Marion County. He was active in the democratic politics and in church circles.

Louis Theodore Michiner died at his home on Friday, February 10th, at the age of 80 years. He had been a prominent practicing lawyer of Shelbyville for many years and he was a former attorney general of Indiana. He was a prominent supporter of the late President Benjamin Harrison and was an active member of the Republican convention which nominated Benjamin Harrison for the presidency.

Robert M. Miller, 81 years of age, died at his home at Franklin, Indiana, on Tuesday, February 28th. Mr. Miller was a graduate of Hanover College, class of 1870 and later received an honorary degree from that institution. He served during part of the Civil War. Later he formed a law partnership with Henry C. Barnett of Franklin and continued in that partnership in the active practice of law for more than 50 years.