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Proceedings of Mid-Winter Meeting of the Indiana State Bar Association

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Bloomington

ANNUAL MEETING ANNOUNCEMENT

Lake Wawasee has been selected as the place for the annual summer meeting on July 10th and 11th. The Spink-Wawasee Hotel, which provided such a delightful setting for our meetings in 1933 and 1934, will again be convention headquarters.

A new convention hall is being constructed adjacent to the hotel and will be completed in time for our meeting. All of the business sessions will be held in this new building.

The attractive rates arranged by the hotel for members of the Association and guests are as follows:

Per Day Per Person	Accommodation	
\$4.75	2 persons in room with Double Bed	Garden Side
5.00	2 persons in room with Double Bed	Lake Side
5.25	2 persons in room with Twin Beds	Garden Side
5.50	2 persons in room with Twin Beds	Lake Side
7.50	2 persons, Tower Room, Twin Beds	Lake Side
9.50	2 persons in Suite—Parlor, Twin Bedroom	
7.00	Single person in room with Double Bed	

All Rooms have Private Bath

These room rates are on the American Plan and include all meals and the banquet. Reservations can be made through the Spink-Arms Hotel, Indianapolis, prior to Decoration Day and after that date with the Spink-Wawasee at the lake, or at any time through the office of the Secretary of the Association, Union Title Building, Indianapolis.

Individual meals for those not stopping at hotel: Breakfast, \$0.75, Lunch, \$1.00; Dinner, \$1.50.

PROCEEDINGS OF MID-WINTER MEETING OF THE INDIANA STATE BAR ASSOCIATION

The Mid-Winter Meeting of the Indiana State Bar Association was held at the Claypool Hotel in Indianapolis, Indiana, on February 1, 1936, President Fred C. Gause presiding.

Mr. Hubert Hickam, President of the Indianapolis Bar Association, welcomed the members of the Association to Indianapolis and invited visiting members to call upon members of the Indianapolis Bar Association for any assistance which they might be able to render in making their stay in Indianapolis a pleasant one. He also invited out-of-town

lawyers to use the facilities of the club rooms of the Indianapolis Bar Association located on North Meridian Street opposite the Federal Building not only during their presence in Indianapolis for this meeting, but upon other occasions when their business should bring them to Indianapolis.

Mr. Roland A. Turner of Greensburg responded on behalf of the Association to this address of welcome.

President Gause called the Association's attention to the fact that this year is the 40th anniversary of the founding of the Association and suggested that it would be appropriate at the annual meeting next summer to pay some particular attention to this anniversary and to make an effort to obtain the attendance at the annual meeting of all of the charter members of the Association now living.

Report of the Committee on Legal Education

The Committee on Legal Education, consisting of Addison M. Dowling of Indianapolis, Chairman, Bernard C. Gavit of Bloomington, Thomas Konop of Notre Dame, John W. Morland of Valparaiso, Roscoe C. O'Byrne of Brookville and Milo Feightner of Huntington, made the following report:

"Your Committee on Legal Education begs to report that a petition has been filed with the Supreme Court and is now being considered by it, which petition was drafted by a committee of the Joint Council on Legal Education of this Association, which recommended the adoption of court rules which would, substantially, impose those standards set by the American Bar Association and its Council on Legal Education as educational qualifications for admission to take the bar examinations in the State of Indiana.

"It is the recommendation of this Committee (as it was of the last constituted committee) that the suggestions incorporated in the said petition be adopted by the Supreme Court. It is further recommended by your Committee that no further immediate steps be taken by the Association to amend or supplement the matter contained in the said petition. It is our hope that the Supreme Court will act favorably on the petition in the near future."

Upon motion properly made and seconded the report of the Committee was approved.

Report of Young Lawyers' Committee

The Young Lawyers' Committee, consisting of Joe S. Hatfield of Evansville, Hubert E. Wickens of Greensburg, Allen C. Lomont of Fort Wayne, Malcolm M. Edwards of Newcastle, Owen Voigt of Jeffersonville and Stanley S. Gilbert of South Bend, presented a report in which the young lawyers expressed their appreciation of the recognition of their group by the Bar Association and voiced the desire of the young lawyers to be of service to the Association.

The President announced a special meeting of the young lawyers to be held in the club rooms of the Indianapolis Bar Association at four o'clock.

Report of Membership Committee

Mr. Albert H. Cole, Vice-President and Chairman of the Membership Committee, reported that since the French Lick meeting the Association has taken in the following new members: 27 regular members and 54 junior members, making a total membership as of January 1, 1936, of 1,690; made up of 1,103 regular members, 257 junior members and 330 student members.

Oliver Wendell Holmes Bequest

At this point President Gause read a letter from Mr. Alfred Nippert, President of the Friends of the Law Library of Congress, showing that there has heretofore been passed by the House of Representatives of the United States and is now pending before the Senate Committee on the Library, a resolution which provides that the residuary fund left to the United States by the Honorable Oliver Wendell Holmes, late Justice of the Supreme Court, be credited to the Library of Congress Trust Fund Board, and that the income of this fund be used for the purpose of building up and maintaining a collection of legal literature in the Law Department of the Library of Congress to be known as the "Oliver Wendell Holmes Collection." The letter further requested the cooperation of the Indiana State Bar Association in securing the adoption of said resolution by the United State Senate. Pursuant to this request the following resolution was unanimously adopted:

"WHEREAS, under the will of the late Justice Oliver Wendell Holmes there was left to the Government of the United States a sum of money which the President of the United States, in a special message to Congress, recommended be devoted to purposes which will effectively promote the contribution which law can make to the national welfare, and,

"WHEREAS, there has been passed unanimously in the House of Representatives of the United States, House Joint Resolution 237 which provides that the residuary fund of this estate be credited to the Library of Congress Trust Fund Board and that the income from the fund be used for the purpose of building up and maintaining a collection of legal literature in the law department of the Library of Congress to be known as the 'Oliver Wendell Holmes Collection,' and,

"WHEREAS, this resolution is now before the Committee on the Library of the United States Senate for consideration and should be acted upon at this session of Congress, and,

"WHEREAS, the American Bar Association, the Federal Bar Association and various state and local associations have endorsed said House Joint Resolution 237, now therefore, be it

"RESOLVED, that the Indiana State Bar Association, assembled at its mid-winter meeting on this first day of February, 1936, does hereby approve the purpose and contents of said House Joint Resolution 237 and urge its adoption by the Congress of the United States."

Report of Special Committee on the Inherent Power of Courts to License and Regulate the Practice of Law

A special committee, consisting of Henry M. Dowling, Albert L. Rabb, Roy W. Adney and Davis Harrison, presented its report, which is heretofore set out in full in this issue of the Journal. The recommendations made by this committee are regarded by the editor as of sufficient importance to justify its printing in full in the first section of the Journal in order to call special attention to the nature of the recommendations made by the report. The report of the committee was unanimously adopted and this committee was designated as the representative of the Association to carry the recommendations of the committee into effect.

Report of the Committee on Grievances and Illegal Practice of Law

The Committee on Grievances and Illegal Practice of Law, consisting of Hubert Hickam of Indianapolis, Chairman, Woodson S. Carlisle of South Bend, Harry W. Muller of Fort Wayne, Forrest M. Condit of Evansville, Julius C. Travis of Indianapolis, Joseph A. Andrews of Lafayette, Rae M. Royce of Hammond, Thomas F. O'Mara of Terre Haute and Edward J. Massman, Jr., of Seymour, made the following report:

"Your committee has received twelve complaints against lawyers practicing in Indiana. The majority of these complaints are either where collections have been made by attorneys and not remitted to clients, or where collection items have been placed in the hands of attorneys who have refused or failed to report to their clients or answer their clients' letters.

"All of these complaints have been investigated or are now being investigated. In some instances, where a complaint has been made against a lawyer practicing in a community where the local bar association has an active grievance committee of its own, the complaint has been referred to such local bar association grievance committee, because of the expense and inconvenience which would be involved for the members of this committee to gather together from the four corners of the state to conduct a hearing.

"Your committee has conferred with the Special Committee on Inherent Power of the Courts, whose report just read, dealing with unauthorized practice of the law, is commended for earnest consideration of the Association."

Adjournment for luncheon.

The meeting of the Association reconvened at 2.15 o'clock, President Gause presiding.

Address of Austin V Clifford

Mr. Austin V Clifford, of the Indianapolis Bar, read a paper on "Some Comments on Procedure under Section 77B of the Bankruptcy Act." Mr. Clifford's address in full appears in the first section of this issue of the Journal.

Report of Judicial Council

Chief Justice Curtis W Roll, Chairman of the Indiana Judicial Council, presented an informal report on the organization and work of the Council. Judge Roll stated that in connection with the statistical work charged to the Council, the Council had decided to ask for additional information from the trial courts as to the work done by those courts beyond what had been secured by the State Board of Accounts for the past few years. He stated that it was hoped that additional information would present a better basis for a judgment as to the amount of work which each trial court was doing. Judge Roll further stated that one of the committees of the Council was studying plans for the reorganization of the trial courts and likewise for the reorganization of the Appellate and Supreme Courts, but that no conclusion on either subject had been reached and that no recommendations would be made until after a thorough study had been completed. He expressed the opinion, however, that a plan for the reorganization of the trial courts should be worked out which would make judges in the less populous counties available for work in other courts and that if this was done something should be done to equalize the salaries of the judges.

Judge Roll further stated that a committee of the Council was engaged in a study of possible changes in the field of civil and criminal procedure and expressed the hope that it would be found that the necessary modification in those fields would be small in number.

Judge Roll pointed out that the Council had been created to act as a mediator between the bench and bar on the one hand and the legislature on the other. He invited suggestions from judges and lawyers as to any desirable changes in the statutes of the state. Judge Roll further suggested that in connection with the action of the Association appointing a committee to present to the Supreme Court a request for the organization and discipline of lawyers by rules of the Supreme Court that some provision should be made for an answer brief upon the subject by those interested in opposing the adoption of such rules by the Supreme Court.

Judge Roll emphasized the desire of the Judicial Council to cooperate with the lawyers and judges of the state and the Bar Association and expressed the hope that the Council would be able to assist in securing desirable legislation in the fields assigned to it.

*Report of Special Committee on Amendments of By-Laws Relating to
Election of Officers*

The report of this special committee, composed of William H. Hill of Vincennes, James R. Newkirk, R. R. Pyatt, Robert R. Baton and John B. Randolph, is set out in full in the first part of this issue of the Journal. This report makes recommendations of vital importance in the method of selecting the officers of the Association and is set out in the first section that these recommendations may not escape the attention of the members of the Association. Upon motion duly adopted the report was not acted upon at the Mid-Winter Meeting, but was held over for action at the next Annual Meeting and the same committee was continued with power to make further study and supplemental reports both on the subject of the method of electing officers and on any changes in the by-laws looking towards a closer cooperation between the State Association and local Bar Associations.

Report of Committee on Jurisprudence and Law Reform

The committee, consisting of Loudon L. Bomberger of Hammond, Chairman; George O. Dix, Terre Haute; Allison E. Stuart, Lafayette; Albert L. Rabb, Indianapolis; Alphonso C. Wood, Angola; Clyde Reed, Fort Wayne; Charles F. Remy, Indianapolis; Edwin C. Henning, Evansville; Eli F. Seebirt, South Bend, and Walter V. Bulleitt, New Albany, reported as follows:

"At the mid-winter meeting in December, 1934, there was referred to the committee the request of the Indiana State Medical Association that the Indiana State Bar Association confer and collaborate with the Medical Association on the question of expert medical testimony. A special committee was appointed by the then chairman of this committee, and is not prepared at this time to report.

"At the annual meeting in 1932, this committee was authorized, in the name of the Association, to oppose bills then pending in Congress, or thereafter introduced, to limit and restrict the jurisdiction of Federal Courts. No such bill became a law, but there have been recently introduced in Congress bills designed to limit such jurisdiction, particularly with respect to passing upon constitutional questions. In the opinion of this committee, these bills are more fundamental than those presented in 1932 to raise the jurisdictional amount. These bills require careful consideration and study by the members of the bar, and it is the purpose of this committee to become more fully informed concerning them, and to report them at the next meeting of the Association.

"A subcommittee to study the question of judicial selection was appointed in 1932. The present activities, studies and investigations on the part of the Judicial Council have, in a measure, rendered further activity on the part of this subcommittee unnecessary at this time.

"Aside from the foregoing subjects, nothing is pending before the committee, but it will consider itself obligated to give careful attention to any

matter brought before it, and to cooperate and assist the Judicial Council whenever possible."

Address of Will Shafroth

The afternoon session closed with an address of Honorable Will Shafroth, Director of the National Bar Program of the American Bar Association, on the subject of "The Coordination Movement of the American Bar Association." This address appears in full in the first division of this issue of the Journal.

Adjournment.

Annual Dinner

The annual dinner of the mid-winter session of the Indiana State Bar Association was held in the Riley Room of the Claypool Hotel at 6:30 P. M. and was attended by members of the Association and their guests. The dinner speaker was Honorable Floyd E. Thompson, of the Chicago Bar. Mr. Thompson's address is printed in full in this issue.
