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State Bar Plans Interesting Convention Program for Meeting on October 13-14 at Springs

Dicta Editorial Board

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A second evil of this lack of publicity is the possibility of the Revenue Department's making conflicting decisions on the same facts according to the whim and caprice of its members. Published reports would eliminate the groping in the dark by those who appear before the Department as to what attitudes have been assumed in the past on the same or similar facts.

The element of secrecy cannot be considered a desirable one in any administrative agency. It is conducive to the atmosphere of the Star Chamber and, in the hands of less forthright and conscientious gentlemen than those who are now in the Revenue Department, could result in the gravest of injustices to the taxpayer. The cost of such publication cannot, of course, be considered as a material objection when fundamental rights are at stake. By the same token, the increased burden on the Revenue Department as a necessary consequence of the demands of an enlightened and vigilant class of taxpayers cannot be considered to be material.

It is true that at present appeals may be taken to the District Court and thence to the Supreme Court, which tends towards a uniformity of Determinations by the Revenue Department and to a small measure of publicity. But the uniformity is imposed only as to the infinitesimal number of cases which reach the Supreme Court, and the publicity is achieved only to the same extent.

It is not suggested that the Department publish in full its rulings and decisions so as to reveal information which taxpayers may not wish disclosed as to their incomes. However, a system of publication similar to that of the Cumulative Bulletins of the Federal Government would serve adequately to inform the public and still preserve anonymity.

A government of laws and not of men is the strongest guaranty for the maintenance of the democratic way of life. That fundamental principle would be furthered in the State of Colorado by the simple expedient of giving full publicity to the determinations of the Revenue Department. If the Bar Association of Colorado would take an active interest in this pressing need, and work to see the reform accomplished, it would be striking a hearty blow against the type of governmental machinery that allows despotism to flourish.

State Bar Plans Interesting Convention Program for Meeting on October 13-14 at Springs

With a program highlighted by addresses by Judge Manley O. Hudson, internationally known jurist, and Judge John B. Knox, judge of a federal district court and author of two best sellers, the annual convention of the Colorado Bar Association promises to be one of the best

in years. The meeting will be held at the Broadmoor Hotel in Colorado Springs on October 13 and 14, 1944.

Also featured on the program will be a series of addresses on the proposed changes in both the federal and state civil rules of procedure, and a symposium on practice and procedure before federal bureaus.

The District Judges Association, and the County Judges Association will hold conferences at the Broadmoor Hotel on October 12, 1944.

Reversing somewhat the program arrangement of previous years, the program committee, headed by Ben E. Sweet of Denver, has decided to precede the formal opening of the meeting with section and committee meetings. The District Attorneys' section will meet at 9:30 on Friday with E. M. Eagleton of Canon City presiding. The program for the section meeting, as arranged by James T. Burke of Denver, is as follows:

Governor John C. Vivian—"Paroles and Pardons"; H. Lawrence Hinkley, Deputy Attorney General—"Appeals in Criminal Cases"; Ralph L. Carr—"The New Criminal Code"; Representative of Staff Judge Advocate's Office A.A.F.W.T.T.C.—"Coordination of Civil and Military Authority"; Judge George A. Luxford—"The Judicial Point of View"; Thomas J. Morrissey, United States District Attorney—"Our Present Day Problems"; and Harry V. Childerston, Superintendent of Colorado State Industrial School—"Outline of School's Progress to Date."

At ten o'clock the water section will begin its meeting. Malcolm Lindsey of Denver, Chairman, presiding. Chief feature of interest on its schedule is "Consideration of Proposed Legislation to Be Presented to the Incoming Legislature."

The section on Probate, Real Estate and Trust Law will meet at ten o'clock on Friday. Its program will be devoted largely to a discussion of proposed changes in the probate law and a proposed trust law. The section will be presided over by H. Lawrence Hinkley of Sterling, Chairman.

Two important committee meetings are also scheduled for that morning. The Lawyers War Emergency Committee will hold a conference with the legal assistance officers of the various posts.

The Committee on Real Estate Standards will discuss the problems of providing for uniform standards and the methods of promulgating new ones. Edwin J. Wittleshofer of Denver, Chairman, is anxious that each local association have a delegate at this conference. The meeting will be open to all who desire to attend.

Among other groups meeting at this time will be the Junior Bar Section. According to Truman Stockton of Denver, Chairman, the annual election of officers will be held at that time.

The Friday luncheon will be in charge of the El Paso Bar Association, which will provide entertainment for this period. Following the luncheon gathering, the convention will be formally opened at two o'clock with the president's address. John E. Clark of Glenwood, president, will review briefly the year's activities and bring to the attention of the group problems of current interest to the bar. Edwin J. Wittleshofer of Denver, Chairman of the Committee, will then discuss the real estate standards and procedure for making them uniform.

The remainder of the afternoon will be devoted to a discussion of the proposed changes in the state and federal rules of civil procedure. G. Walter Bowman, Clerk of the Federal District Court, will discuss the amendments proposed by the Advisory Committee on rules for the United States Supreme Court in its draft of May, 1944. This draft proposes changes in 41 rules and suggests a new rule relating to condemnation proceedings. Thomas Kelley will explain the changes proposed by the Supreme Court Committee in the state rules of civil procedure.

On Friday evening Judge Manley O. Hudson will deliver the annual address. Judge Hudson, a justice of the Permanent Court of International Justice at The Hague, and outstanding authority on international law, will speak on the problem of settling upon the requisite judicial machinery for the maintenance of peace.

The Saturday morning session will center around a discussion of practice before federal bureaus. J. Glenn Donaldson will outline the opportunities for practice before the federal bureaus. Dexter Blount, regional attorney for the WPB, will discuss practice and procedure before that Board. Martin Kurasch, regional attorney for the WLB, will speak on procedure before that authority. The concluding address on the symposium will be given by Allen Moore, rationing attorney for OPA, who will discuss the American Bar Association's bill dealing with administrative procedure.

For those attending the Saturday afternoon luncheon will be the rare treat of listening to Thomas E. Munson of Sterling spinning some of his fine yarns about the times long ago.

On Saturday afternoon George Evans of the state income tax department will outline the changes brought about by the 1944 federal income tax—the so-called simplified tax law. The Weld County Bar Association will present a dramatic skit dealing with current problems of vast insignificance. The meeting will close with the election of officers.

The annual banquet will be held that evening. Judge John C. Knox will be the after-dinner speaker. Judge Knox has served on the federal bench since 1918. He is the author of "A Judge Comes of Age,"

and "Order in the Court" and is widely known as an entertaining and able speaker.

Convention rates for the meeting at the Broadmoor Hotel are:

Single Rooms.....	\$ 5.50 per day, European Plan
Double Rooms.....	8.00 per day, European Plan
Lanai Suites, Two Persons.....	14.00 per day, European Plan
Third person in room.....	4.00 per day, European Plan

To avoid interference with transportation facilities lawyers are urged to pool their automobiles and to avoid use of the trains if possible.

Denver Bar Association Committee Chairmen 1944-1945

<i>Legal Ethics and Grievances</i>	Frederick P. Cranston
<i>Legal Aid</i>	John E. Gorsuch
<i>Judiciary</i>	Robert G. Bosworth
<i>Legislative</i>	William E. Hutton
<i>Meetings and Entertainment</i>	Irving Hale, Jr.
<i>Membership</i>	Richard Tull
<i>Auditing</i>	Joseph C. Sampson
<i>Junior Bar</i>	Truman A. Stockton, Jr.
<i>Unlawful Practice</i>	Frank A. Wachob
<i>Municipal Code Revision</i>	Marmaduke B. Holt, Jr.
<i>Real Estate Title Standards</i>	Edwin J. Wittelshofer
<i>War Emergency</i>	W. D. Wright, Jr.

Wanted

By the Editors of Dicta—

—From secretaries of local bar associations, reports of meetings, elections, and other stories of interest regarding the activities of their local associations.

—From the committees of the Colorado and the local bar associations, narrative stories of the activities of their committees.

—From the members of the Colorado bar, articles of interest regarding current legal problems, or other matters of interest to the bar generally. Such articles should be of general interest, not unduly documented by legal citations.

Your editors wish to make DICTA interesting to and readable by every member of the bar. We urge every member of the bar to send to us all items which you think will be of general interest to the bar. It is up to you to help us make DICTA the voice of the bars of Denver and Colorado.

AIRPORTS AND THE COURTS. By CHARLES S. RHYNE. National Institute of Municipal Law Officers, 730 Jackson Place, N. W., Washington 6, D. C., 1944. Pp. XIII, A-1, 222, \$5.00.

This volume is a complete collection and analysis of all reported court decisions involving acquisition, operation, maintenance and zoning of airports, together with an analysis of Federal, state and local legislation in the airport field. The air space rights of landowners, aviators and airport operators are analyzed in the light of applicable legislation and legal principles. Designed as a legal handbook for use by those interested in all phases of aviation and the airport expansion which is bound to follow in the wake of current developments, this book is the only study yet published which collects this essential material in one compact volume.

The great technical developments of the war still leave "airports" as the keystone of all aviation, for airplanes still must take off and land. Without airports, there would be no aviation. Cities and others who acquire and operate civil airports are faced with hundreds of legal questions as a result. This volume answers many of these questions through its review of what others have done, are doing, and plan to do in the airport field. The information for this study has been collected over a period of eight years work on aviation and airport legal and legislative problems in the three fields of governmental activity: federal, state and local. By utilizing the experience here reviewed, aviators, airplane owners, airport owners, and airport operators (public or private) can avoid the mistakes of the past and build for the future upon the successful experience thus revealed.

A listing of the eight chapter headings presents a broad idea of the contents of the book: (1) Airport Acquisition; (2) Condemnation of Property for Airport Purposes; (3) Airport Leases; (4) Regulations Governing Use of Airports; (5) Taxation of Airports; (6) Damage Claims Against Airport Owners and Operators; (7) Air Space Rights of Aviators and Landowners; and (8) Airport Approach Protection—Airport Zoning.

The book reveals in a very graphic way the growth of the "law" to meet the needs of the "air age." The legislation and court decisions in the airport field are chiefly the result of civil aviation's growth in the last 20-year period with a decided emphasis on the latter part of this period. "Avigation" easements, "airport zoning," jointly-owned airports, airport districts, and other late developments in the airport field up to August 15, 1944, are discussed in this book.

Perhaps most important of all, the volume annotates court decisions and aviation and airport statutes with citations to official sources. More than 500 footnotes throughout the book give citations of court decisions, articles, official reports, books and other references on each subject discussed.