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Announcement Concerning the Annual Meeting of the Colorado Bar Association

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tive power, which the legislature could not delegate to him. The Appellate Court held this ruling to be incorrect, it took the position that the examination of facts and circumstances and determination of reasonable requirements for the issuance of public safety are not legislative matters, but are matters of discretion.

By the provisions of the Act prohibiting the sale of securities except by a licensed broker or agent, or by the company itself, it seems to have prohibited the sale of securities as defined by the Act even by individuals, partnerships or trusts, unless such sale be of such securities as are not issued by the individual partnership or trust but have been purchased and are owned by such trustee or such individual, partnership or trust, and the securities are defined by the Act as including not only corporate shares or capital stock but instruments offered to the public by a "company", or an "individual" advertising or representing any right to participate or share in oil, gas or other hydrocarbon sub-

stances or minerals, or in the proceeds of the sale thereof and all bonds, debentures and evidences of indebtedness issued by any company excepting leases not offered to the public or bills of exchange and promissory notes not offered to the public.

Of course, the Act has been construed as not restricting the right of an individual owning securities not issued by him, to sell them inasmuch as any person has the constitutional right to sell his own property lawfully acquired by him. This has lead to a practice of incorporating in foreign states and issuing the stock in such foreign states and coming into the State of California with so-called lawfully owned and privately held stock for sale by the owner thereof. There is a fear, however, that a court will some day go behind this Act and hold in some particular case that the stock in that case was issued in a foreign state for the sole purpose of evading the Corporate Securities Act of the State of California.

Announcement Concerning the Annual Meeting of The Colorado Bar Association

FOR some months past the officers of The Colorado Bar Association have been engaged busily with preparations for the thirty-first annual meeting. It is scheduled for Friday and Saturday, September 14 and 15, 1928, in the Rose Room of The Antlers Hotel at Colorado Springs.

Realizing the intensity of interest aroused by necessity in the question of a new state Constitution and the calling of an early convention for its consideration and enactment, the program of the sessions this year has been adopted with an eye to demonstration

before the lawyers of the state of the comprehensive problems to be solved.

The proceedings open at 10:30 o'clock in the morning of September 14th, and close with the annual dinner to be given at The Antlers in the evening of September 15th at 7:45 o'clock.

The annual address will be delivered on Friday night, September 14th, at 8:30 o'clock, by the Honorable Henry Archer Williams, of Columbus, Ohio, on *Our Shifting Constitution*, with treatment of our Federal compact in the light of changes wrought in the

latter years. The speaker has long been famed in the central and eastern states as a profound thinker of high literary expression. His auditors may well esteem themselves fortunate in their opportunity. And members attending the annual dinner will enjoy a toast response from him of unusual grace and charm.

The first address of the meeting will be that of President Donald C. McCreery, of Denver, on *The Reign of Law*, with special reference to situations in Colorado where law well may be returned to power.

Henry McAllister, of Denver, speaks on *Suggestions for Reform of Criminal Procedure*. Coming from a former District Attorney whose later civil practice has been so general, this discussion should present new view-points and angles of attention.

Erl H. Ellis, of Denver, in *The Public Purse* will handle the subject of taxation along lines and with proposals both startling and original.

Charles S. Thomas, of Denver, will round out the situation with an address on *The Colorado Constitution*. Senator Thomas' rich and rare experience under our first and only state Constitution should make his recommendations for its new content invaluable.

These speeches will bring on hot challenges of propositions advanced, and the convention bids fair to be a lively one.

The annual dinner is the climax of the entertainment. The toast list has not been disclosed in its entirety, but is promised as rare and racy. The Antlers' menu—but enough!

N.B. Colorado Springs is at its loveliest in September—the weather is perfection—hotel rates 'then are cut in half—all courts are expected to adjourn over the days of the meeting—the Colorado Springs bar is providing appropriate pleasures for the ladies whom members are urged to have accompany them this year—altogether, can you afford to miss the occasion?

Colorado Supreme Court Decisions

(Editors Note—It is intended in each issue of the Record to print brief abstracts of the decisions of the Supreme Court. These abstracts will be printed only after the time within which a petition for rehearing may be filed has elapsed without such action being taken, or in the event that a petition for rehearing has been filed the abstract will be printed only after the petition has been disposed of).

No. 11,874

Radovich v. Radovich

Decided June 25, 1928.

Common Law Marriage — Property Rights.

Facts—Plaintiff and Defendant lived together under Common Law Marriage for about five years. Complaint alleges that parties were husband and wife and that she had obtained his property by falsely pretending great

love and affection, and as soon as she obtained it, she excluded him from the house by violence, struck him, threatened to shoot him and refused to live with him.

The answer denied that the parties were husband and wife and alleged that she cohabited with him on his promise to marry her legally. In replication the Plaintiff alleged that he repeatedly requested her to marry him ceremonially.

Held—Complaint stated a cause of action for divorce was started and cause of action for recovery of the property.

Judgment Affirmed.