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The Annual Meeting of the Colorado Bar Association

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"The force of public opinion convinced the diplomatists that this Pact was necessary. The force of public opinion will hereafter convince them that it must be observed in its spirit and not in its letter. . .

"Here is an act of faith. Here is a solemn announcement that war is ruled out. If in one year or in ten years this or that nation were to break the pledge, the public would be amazed. It would resent the deception. It would, presumably, rise against those who attempt to rely on subtle diplomatic phraseology. It disregards the annexes. It sees only the broad effect of the Pact. The reservations are, so far as the public is concerned, uttered "*sotto voce*". They

are not heard. They will be ignored. Governments are no longer free. They have, in raising public expectations, tied their own hands. If they have logically contrived a possible exit from the Pact, they will, at the first sign of a movement to escape, be driven back by an indignant public into the safe precincts of the Pact. For that matter, I believe the Governments will be voluntary prisoners. There is probably no Power which is willing again to run the risk of war. The reservations are merely the expression of the old traditional diplomacy which has been trained to conduct affairs with circumspection; it is a ghostly diplomacy which does not realize that it is dead and that its methods are futile."

The Annual Meeting of the Colorado Bar Association

Reported by MR. HAMLET J. BARRY

CONSTITUTIONAL questions and controversies formed the subjects for discussion at the annual meeting of the Colorado Bar Association held at the Antlers Hotel at Colorado Springs, Friday, September 14 and Saturday, September 15, last. Most of the addresses delivered touched upon some phase or phases of constitutional law.

The outstanding scholarly address of Henry Archer Williams, of Columbus, Ohio, leader of the Ohio bar, climaxed the programme. Williams, who is an active, virile lawyer in the prime of his career, in developing his subject, "*Our Shifting Constitution*", demonstrated to more than one hundred lawyers and judges in attendance, that the early and primary purpose of the constitution itself was the protection of the individual against the tyrannies of the State. He showed the colonial public mind to be just that. He announced that the same purpose ran through the first ten amendments, the bill of rights. He then asserted that

this first, fundamental purpose had to some extent been lost sight of, and in succeeding amendments to the constitution down through the latest, there had been a gradual encroachment by the state upon the rights of the individual.

Because of the masterly presentation of his subject the address was most enthusiastically received as was Mr. Williams' talk at the banquet on Saturday night.

Cass E. Herrington of Denver was chosen president at the closing business session Saturday. In accepting the office Mr. Herrington expressed his gratification at the honor and pledged himself to a program of advancement for the Colorado Bar Association. President Herrington warmly supported Amendment No. 1, to be submitted at the November election, the purpose of which is to obtain increased salaries for judges in Colorado. J. Alfred Ritter, Colorado Springs, was elected first vice-president; Mortimer Stone, Fort Collins, second vice-president; and

Harrie M. Humphreys, Secretary-Treasurer.

Donald McCreery, of Denver, retiring president, in his annual address developed the place of the lawyer in American Constitutional history from the beginning to now. He thought today called for higher character, ability, and courage in the lawyer than at any time in the country's history. This address was a masterly one and at its close the president was congratulated upon it by most of those present.

Henry McAllister, Denver, though unable to be at the meeting, sent a scholarly and practical paper on "*Suggestions for Reform of Criminal Procedure*". Ben Hilliard, Denver, read it. Mr. McAllister urged the abolition of the practice that prevented the prosecutor from commenting upon the failure of an accused in a criminal case to testify in his own behalf. He thought that the defendant in such a case should be subject to whatever inferences could be drawn from the circumstance that he who probably knew most about the commission of the crime under view had said nothing. He urged making whatever constitutional or statutory changes were necessary to bring this about. The paper was warmly received.

Erl Ellis, Denver, in an address on the public purse pointed out many of the relations between the taxpayer and the state, and the collection and expenditure of the state's money. He urged more thorough study and extensive surveys to solve problems of public expenditure.

Former Senator Charles S. Thomas in a very happy, sometimes whimsical, way, suggested that notions of extreme reformers had no place in a constitution even in what he termed "this gasoline age". The constitution, he urged should cover the fundamentals and not be loaded with untried plans.

Henry W. Toll, Denver, Albert Craig,

Denver, Mary Lathrop, Denver, Ira C. Rothgerber, Denver, reported for the conference of bar association delegates and the American Bar Association held in July at Seattle. Mr. Toll advocated to the meeting the desirability of holding in Colorado, annual meetings of members of the American Bar Association, for the purpose of making recommendations to the national association. He introduced a resolution to that effect, but it was tabled.

Reports of the committees on grievances, legal education, legal biography, local bar association, judicial procedure, legal development uniform state laws, American citizenship, redivision of the eighth federal circuit, session laws and the auditors composed the work of some of the sessions.

The meeting closed with the annual banquet at the Antlers, with Don McCreery toastmaster. George Winters, Denver, convulsed the diners with his toast "*De Minimis*". He added much to his fame as an after dinner speaker. Henri C. Vidal as pinch hitter for Robert Gast, Pueblo, amused greatly in his "*Wanderings and Flounderings*" and Ben C. Hilliard, himself, in "*Without Thinking*" captured the diners as he usually does. Henry A. Williams concluded the toasts. Cass Herrington, the incoming president, then accepted the gavel of his office and in a few remarks pledged himself anew to the tasks of the next year of the association.

Rebuke to Wm. M. Springer

Mr. Springer, a Representative from Illinois, was declaring with large solemnity that, in the words of Henry Clay, "he had rather be right than be President". "The gentleman need not be disturbed", interjected Speaker Reed, "he will never be either".—*Thos. B. Reed.*