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THE DENVER BAR ASSOCIATION

R E C O R D

P U B L I S H E D M O N T H L Y

VOL. I

DENVER, JULY, 1924

No. 8

THE NEW ADMINISTRATION

On July 1st began the new fiscal year of the Association, its affairs being taken over by the officers recently elected. The list of officers and committees is given elsewhere in this issue. Signaling the change of administration, the old and new executive committees met in joint session at luncheon at the University Club. It was voted that this issue of the Record be given up largely to a summary of the past year's work, as shown in the reports of officers and committees at the recent annual meeting. This was felt to be the most convenient and economical form in which to preserve a permanent record of this interesting data.

Among the new matters considered was the program for the ensuing year. It was unanimously agreed that the Association shall have a definite, broad and constructive program of the year's work, announcement of which will appear in the August number of the Record. With the more recent administrations of the Association pointing the way to The Greater Denver Bar Association and demonstrating the clear necessity for concerted, aggressive and well directed activity along all lines of our work, your officers are determined that this year shall be one of practical accomplishments and of much progress. The wide and almost unanimous interest manifested by appointees to a portion of this year's committee just announced, assured a year that should materially advance the best interests of the Association. Your officers and committees are ready and determined. Our attainments can be limited only by the extent of the united effort and co-operation of our membership.

MEMBERSHIP IN OUR ASSOCIATION

By Jacob V. Schaetzel, Secretary

We have often heard it said of other organizations that we get out of them about as much as we put in. This can be said of our own Association. The records of our Association show quite conclusively that those who attend the meetings regularly, pay dues promptly, and do active work on the committees, generally speaking are the successful lawyers of Denver. Whether we deduce from cause to effect or from effect to cause, there certainly is something worth while in the Association as there are men in our organization who are leaders, not alone at the bar, but in the civic and spiritual life of Denver. Let us examine ourselves carefully in an effort to ascertain if we are getting everything out of our life's work to which we are rightfully entitled. Are we regarded by our brothers of the profession as good lawyers, with high moral standing, or are we just looked upon as one who passes with doubtful recommendation? Does membership in The Denver Bar Association mean anything to you? If not, why not? The new officers for the years 1924-1925 commenced functioning July 1, 1924. Let us look forward to a year of new growth and development. Let us hold up the standard of our profession higher than it has ever been held before in Denver. Let us extend a welcoming hand to our new brethren who are coming to us from other states and those newly admitted. Encourage them in every way and see that they get started right. In fact, as leaders of the civic life of Denver let us strive to work harmoniously together for the best interests of Denver, and give ungrudgingly of our time and money.

OFFICERS

Stanley T. Wallbank, President
 Kenneth W. Robinson, First Vice-President
 W. W. Grant, Jr., Second Vice-President
 Jacob V. Schaetzel, Secretary-Treasurer

COMMITTEES FOR 1924-1925

Executive Committee

Ex-Officio Appointive
 K. W. Robinson Wilbur F. Denious
 W. W. Grant, Jr. Charles C. Butler
 S. T. Wallbank William E. Hutton
 Robert W. Steele

Judiciary Committee

Philip S. Van Cise, Chairman
 John Campbell Robert G. Strong
 Frederick T. Henry James H. Pershing

Grievance Committee

Kenneth W. Robinson, Chairman
 Charles H. Haines James G. Rogers
 Roy O. Samson Thomas R. Woodrow

Bar Organization Committee

Wilbur F. Denious, Chairman
 John H. Denison James A. Marsh
 George L. Nye Henry J. Hersey

Meetings Committee

Robert W. Steele, Chairman
 Stephen Curtis Arthur H. Laws

Membership Committee

Albert G. Gould, Chairman
 Ernest B. Fowler Robert H. Dunlap
 George R. Larwill D. K. Wolfe, Jr.
 F. C. Northcutt Samuel M. January
 C. E. Wampler Jean D. Kelley
 A. E. Bogdon

Library and New Court House Committee

Harry C. Davis, Chairman
 Julian H. Moore Cass E. Herrington

Legislative Committee

Richard S. Fillius, Chairman
 Henry W. Toll Morrison Shafroth
 William R. Eaton Francis J. Knauss

Banquet Committee

Hugh McLean, Chairman
 Walter M. Appel Edward G. Knowles
 Roger H. Wolcott Gustave J. Ornauer

Memorial Committee

Henry Clark, Chairman
 Ralph Hartzel Edward L. Shannon
 William A. Moore M. K. Edwards

Women and Children

Mary F. Lathrop, Chairman
 Bertha V. Perry Jean S. Perkins
 Mabelle A. Carter Maude E. Woodward

Auditing Committee

John B. Geijsbeek, Chairman
 Carle Whitehead Langdon R. Larwill

Legal Aid

E. H. Ellis, Chairman
 William J. Grodzke Merritt H. Perkins
 Victor A. Miller Ira C. Rothgerber
 Richard E. Leach E. C. King
 H. C. Tallmadge

Legal Education

George C. Manly, Chairman
 Wm. D. Wright, Jr. Hamlet J. Barry
 B. M. Webster John H. Fry

Administration of Criminal Justice

Charles C. Butler, Chairman
 Robert E. More H. S. Silverstein
 Harry C. Riddle Omar E. Garwood

Bar Primary Committee

Edward C. Stimson, Chairman
 Platt Rogers Halsted L. Ritter
 Wayne C. Williams Frazer Arnold
 John C. Vivian

Assignment of Trial Cases

Hudson Moore, Chairman
 L. F. Twitchell George F. Dunklee
 Frank E. Gove William C. Danks

Relation of Bench and Bar to Press Committee

G. Dexter Blount, Chairman
 Joseph Jaffa Fred D. Anderson
 Golding Fairfield Albert G. Craig

Public Service Committee

Elmer L. Brock, Chairman
 Oliver W. Toll Edw. M. Freeman
 Barnwell S. Stuart James W. Kelley

Americanization Committee

Hastett P. Burke, Chairman
 Edward C. Ring Harold H. Healy
 E. R. Myer E. L. Rhoads

Supreme Court Library Committee

Peter H. Holme, Chairman
 Richard H. Hart Morrison Shafroth

JUDICIARY COMMITTEE

William E. Hutton, Chairman

Your Judiciary Committee begs leave to report that its principal activity has been with respect to the Bar Primary, recommendations concerning which were presented at an open meeting of the Association and after discussion were approved. The Bar Primary has been held in accordance with those recommendations, with all of which the members of the Association are fully apprised.

Some consideration has been given to the matter of improvement of

judicial organization and administration. This is a subject which your committee feels requires much more comprehensive and detailed consideration than it has yet had, before any recommendations can be made by your committee to the Association. It is expected that in the month of June next certain suggestions may be made regarding possible improvements on the organization and administration side of the civil law courts, and that later definite suggestions also may be made respecting possible improvements in the administration of the criminal law.

The Denver Bar Association Record

OFFICERS

Hugh McLeanPresident
 James Grafton RogersFirst Vice-President
 Philip S. Van CiseSecond Vice-President
 Jacob V. Schaetzel.....Secretary-Treasurer
 718 Symes Bldg., Main 580

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 to the interests of that Association.
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SUMMARY OF WORK OF THE DENVER BAR ASSOCIATION, JULY, 1923, TO JULY, 1924

From the Reports of Officers and
Committees at the Annual Meeting

President's Report

Hugh McLean

The report of the President of the Association will consist of a few general observations. The details of the year's work are covered by the reports of the Secretary-Treasurer and of the various committees.

For the most part the committees have done their work with care and faithfulness, and their members, and particularly their chairmen, are to be commended, for their loyalty and willingness to give their time and attention to this form of public service. Special mention should be made of the Secretary-Treasurer, who has done a really remarkable piece of work, not only in putting the Association in good shape financially, but in giving unsparingly to the Association in time, enthusiasm and initiative.

One or two new things have been undertaken this year which ought to be mentioned. The Denver Bar Association Record, a small monthly bulletin, was authorized by the Executive Committee last fall and has been issued each month this year. It has proved, in our opinion, well worth the expense, both as a means of making the work of the Association better known to its mem-

bers, and in providing means of expression for various items of professional interest. The Kansas City Bar Association has imitated our Association by starting a similar publication.

A temporary legal aid bureau has been established in the Secretary's office, in response to requests from the Juvenile Court, the District Attorney's office, and the Community Chest. In the light of the experience thus gained the matter ought to be further considered to determine whether the situation here justifies undertaking, in connection with the Community Chest, some more formal and extensive method of furnishing legal aid to those who can not afford to pay for it.

The holding of another Bar Primary, in which the non-partisan feature has been eliminated, raises the question whether the Association ought not to consider the plan authorized by the Constitution, in separating the election of Judges from the general elections by holding the judicial elections at a separate time. This appears to have many advantages; one of which is that it would probably enable the Association to select eligible candidates without reference to party affiliations. This is certainly the ideal toward which we should work.

The work of considering and formulating suggestions for needed legislation is one which requires more continuity and experience than can be easily found in a temporary and changing legislative committee, having no official status. It seems that the Association might be able to render an important public service either by sponsoring the organization of a legislative drafting bureau, or by covering this need in some other permanent way.

The balance between the serious and social functions of the Association is one that is somewhat difficult to maintain. It may seem to some that the social features have been over-emphasized in the programs of this year. Some of the more serious subjects are still to be taken up in the remaining meetings; and after all, the furnishing of a friendly meeting ground for Judges and Lawyers is not the least important of the functions of the Association.

SECRETARY-TREASURER'S REPORT.

Jacob V. Schatzel

This has been an active year for the Association and also one of new growth and progress. We have been gradually weeding out the members who have not shown sufficient interest in the Association to keep up their dues. In many instances, members have but paid their initiation fee and have been kept on our membership roll for thirteen years without any other payment.

The Bar Association Record is a medium of interest between those who have not attended meetings and the various happenings at the meetings; it allows an expression of opinion from members who otherwise could not be heard, and at the same time permits the proper notices to come before our members relative to the meetings, dates, programs, etc.

The Executive Committee voted to assist the Community Chest in securing legal aid for their charitable cases. These cases have been referred to the Secretary's office. They consist, practically all of cases involving domestic difficulties, such as divorce and non-support, and of the first twenty cases referred all but two were of this class. Although a call for volunteers was sent out, none

responded excepting our President, Hugh McLean, and Mr. Pershing. I didn't have the nerve to send them one of the cases and arranged with Gustave Ornauer and R. E. Bishop to take care of the cases until more attorneys volunteered. I would recommend that early next fall a meeting be held and this question discussed thoroughly.

There are about six hundred dollars back dues still outstanding and I am anxious that this unhealthy condition be remedied, by having the members pay up, where possible, or if impossible, financially, to rule off the account as profit and loss and start the member out with a new slate. If the Association is not worth the price of the membership dues to the member, he shouldn't belong. The dues should be considered like rent, insurance or groceries.

The Association is commencing to function for the lawyers in a practical way. It should continue to do this and some time during the year a program should be given or article written or something done that vitally interests every lawyer. Some lawyers want to hear about international affairs, some about general affairs, and a great many want to be shown how they can earn a fair living, for themselves and family, how to increase their fees; in fact, and at least be on an earning basis equal to that of a plasterer, bricklayer or carpenter.

THE DENVER BAR ASSOCIATION STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS, JULY 1, 1923, TO JULY 20, 1924

RECEIPTS

Cash balance received from former Treasurer.....	\$ 365.65	
Refund—Little, Brown & Co.....	5.00	
Refund Schaetzel and Schwed (excess tel. calls).....	2.58	
Sale of Banquet Tickets—Wickersham.....	\$437.00	
Saner	717.25	
		1,154.25
Membership dues collected 7-1-23 to 4-20-24.....	4,452.50	
		<u>5,606.75</u>
Total Cash Receipts.....		\$5,979.98

DISBURSEMENTS

General Fund—	
Stenographer's salary 7-1-23 to 5-1-24..	\$ 750.00
Telephone	19.90
Record—5 editions	97.50
Postage	132.21
Stationery—new set of books, letter-heads, envelopes, stamped return envelopes, statements, receipts, application blanks, minute books, fillers, files, etc.....	367.20

Meetings—Printing, Civic and Commercial Assn., comp. tickets, etc...	321.47	
Banquets—Wickersham	\$768.81	
Saner	933.95	
		1,702.76
Miscellaneous—Funerals, Colo. Bar Assn. dues, etc.....		124.03
Total General Fund.....		\$3,515.07
Library Fund—		
Salaries	\$ 350.00	
Books, etc.	712.25	
Miscellaneous expense	17.20	
Allowing General Fund proportionate share expense collecting old accounts		812.00
Total Library Fund.....		1,891.45
Total Cash Disbursed.....		4,977.85
Excess of Receipts over Disbursements.....		\$1,002.13

(Note: The above balance was as of April 20, and has for the most part been used for necessary expenses for the balance of the fiscal year ending July 1.)

Facts	
Membership July 1, 1923	527
Honorary Members.....	15
Total	542
Admitted to April 20, 1924	53
Reinstated	4
	599
Deceased	7
Dropped for non-payment of dues.....	22
Dropped on request, dues paid	8
	37
Total number of members April 20, 1924	562
Members and Their Dues	
Number of members whose dues are paid in full	504
Owing \$ 5.00	15
Owing 10.00	14
Owing 15.00	2
Owing 20.00	2
Owing 25.00 or more	10
	547
Honorary	15
	562
Total amount still owing.....	\$600
By reason of the failure to pay dues promptly the Secretary's office	

has been compelled to mail as many as six and seven statements and letters to a large number. In October, 1923, we had approximately 200 members who had not paid their dues.

Number of members in Colorado Bar Association

462

Number of members in Denver Bar Association

562

Number of members in Denver Bar Association belonging to Colorado Bar Association.....

216

AUDITING COMMITTEE

John B. Geijsbeck, Chairman

We have made an audit of the books and records of The Denver Bar Association for the period July 1, 1923, to March 31, 1924, and submit herewith the results of our audit embodied in—

Schedule No. 1—Statement of Cash Receipts and Disbursements July 1, 1923, to March 31, 1924.

Schedule No. 2—Analysis of Cash Funds July 1, 1923, to March 31, 1924.

(Note:—These statements are not here printed for lack of space. The substance of them is contained in the Treasurer's report printed above.)

All cash receipts, of which we were able to find any record, have

been deposited in the bank. All disbursements have been made by checks signed by the Treasurer. The minutes of the Executive Committee do not show authorization for all of the expenditures. The minutes should show this authorization if Section 5, Article II of the by-laws is to be strictly construed.

The bank account was reconciled and found to be in agreement with the statement of The Colorado National Bank.

A new system of accounts is now being installed which will aid the Secretary-Treasurer in the proper handling of the Association's accounts and records.

COMMITTEE ON MEETINGS AND PUBLICITY

Stanley T. Wallbank, Chairman

The Association has held during the period from May 1, 1923, to April 28, 1924, exclusive of the Annual Banquet and the Memorial Meeting, fourteen meetings with a total attendance of 2,031, and an average attendance of 145, twenty-five program speakers addressing the meetings as follows:

May 7, 1923—The Dogma of Progress, George H. Norlin. Attendance, 96.

May 21, 1923—Law Club Program, Forgeries, illustrated by stereopticon slides, William H. Loughridge. Attendance 105.

May 28, 1923—Memorial Meeting.

June 4, 1923—The Spirit of the Code, Charles C. Butler. Attendance 114.

June 18, 1923—Are We a Lawless People? T. J. O'Donnell. Attendance 87.

July 9, 1923—Address, U. S. Senator Alva B. Adams. Attendance 96.

Sept. 3, 1923—Banquet, Hon. George W. Wickersham. Attendance 145.

Sept. 10, 1923—Constitution Week, Paul P. Prosser. Attendance 144.

Sept. 24, 1923—Reports on Meeting of the American Bar Association held in Minneapolis, Wilbur F. Denious, T. J. O'Donnell, Henry Toll, Mary F. Lathrop. Attendance 137.

Oct. 1, 1923—The New Court House, Mayor Stapleton, M. Elliott Houston, George B. Steele, W. N.

Bowman, George L. Nye. Attendance 89.

Nov. 5, 1923—Judiciary Committee—The Bar Primary, H. L. Ritter, E. C. Stimson. Attendance 175.

Dec. 3, 1923—Federal Receiver-ships, Henry McAllister. Attendance 85.

Dec. 24, 1923—Address, Senator J. Hamilton Lewis. Attendance 218.

Jan. 22, 1924—Mountain States Telephone & Telegraph Co. Meeting, B. F. Reed. Attendance 185.

Feb. 4, 1924—Judges' Day, J. Foster Symes, John W. Sheafor, George W. Dunklee, George A. Luxford, Henry Bray. Attendance 250.

March 3, 1924—Annual Banquet, Lincoln and His Cabinet, Nelson H. Loomis; American Citizenship, R. E. L. Saner. Attendance 370.

April 7, 1924—Old-Timers' Day, Platt Rogers. Attendance 250.

Every regular meeting prescribed by the by-laws has been held in addition to which six special meetings were held and the average attendance has been good. Your committee recommends, however, that if possible more frequent meetings be held, which, in view of the crowded condition of the meetings calendar, can be arranged without decreasing interest or attendance.

The committee during the past year has arranged tentative programs over periods of three to six months so as to plan more carefully for urgent matters.

It is hoped that the precedent of holding meetings for the newly admitted members of the profession, meetings devoted to American citizenship, and at least one devoted to the interests of the Colorado and American Bar Associations will be arranged each year, and that the Association may direct especial attention to the widely discussed topic of the thorough organization of the bar. Especial recognition is made of the fine co-operation of members and committees, and particularly of the able assistance rendered by our Secretary.

REPORT OF LIBRARY COMMITTEE

Wilbur F. Denious, Chairman

The establishment and maintenance of a Law Library at the Court

House is one of the substantial accomplishments of The Denver Bar Association.

We have had for some time a fairly good working library, but its needs are many and it will, of course, never be complete. It is important that our members keep the needs of the library in mind at all times.

In order to bring our state reports up to the Reporter System, we still require the following state reports:

Tennessee, Maryland, New Hampshire, Maine, Delaware, Texas, District of Columbia, Arkansas and Louisiana.

We also need a number of the reports of the inferior courts of New York, such as Hun, to bring those reports up to the New York Supplement.

Owing to the meager amount we have to spend for new books, it has been the policy of the committee to purchase only such text-books as are constantly called for at the Court House and suggestions in this regard from the members are very helpful and are not only welcome but are solicited by the committee.

Among the principal additions to our list of text-books during the past year are the following:

Woerner on "Administration" (3 vols.); Wigmore on "Evidence" (5 vols.); Cooley on "Taxation" (4 vols.); Jones Forms; Huddy on "Automobiles."

The Librarian has prepared about one hundred and twenty volumes of the Supreme Court briefs and the same will soon be sent for binding. There yet remains in addition to the foregoing about one hundred to one hundred and fifty volumes to be bound.

The cost of keeping up the Reporter System and the other annual standing subscriptions is approximately \$700.00. The other fixed expenses including the portion of the salary of the Librarian, paid by the Association, and miscellaneous expenses, are about \$500.00. Our total fixed expense, not including such expenditures as new text-books, is therefore about \$1,200.00 per annum.

The committee has made an effort this year to get the City and County of Denver to pay all of the salary of the Librarian and also to contribute

something towards the purchase of books, but so far has not succeeded. Many cities and counties maintain a law library at their own expense for the use of their courts. At present the City and County of Denver is furnishing us quarters for the library and paying a portion of the salary of the Librarian. The committee feels that the city and county should do more than this and we shall continue our efforts to make the authorities see their duty in this respect.

Some of the Bar Associations of the country, notably the Association of the Bar of the City of New York, have succeeded in securing endowment funds for a part of their activities and particularly for the maintenance of their libraries. These funds are either for general or specified purposes. The income from the general funds is usually at the disposal of the officers of the Association, while the income from each specific fund must be used for the purpose specified and it is usually known by the name of the donor, thus making it a memorial for him. As our Association becomes more useful and active our members will undoubtedly be disposed to establish endowments for particular purposes. Just now we need endowment funds for a library perhaps more than anything else. This will have to start in a small way, but afterwards it will undoubtedly grow rapidly. In order to make a start, this committee has found one man who is willing to be one of twenty to give \$500.00 each or a total of \$10,000.00. The income from this, with what would undoubtedly follow, would soon put our library on a sound basis. We would still have to have a portion of the dues, but would not be wholly dependent upon that. If the Association is to grow and progress, as it should, eventually all the dues will have to be used for the other activities of the Association.

MEMBERSHIP COMMITTEE

Gustave J. Ornauer, Chairman

Your committee has had under consideration from July 1, 1923, to Apr. 7, 1924, sixty-four applications for membership to our Association, and the following is a tabulation thereof:
July 9, 1923..... 2 applications

Sept. 24, 1923.....	9 applications
Nov. 5, 1923.....	11 applications
Dec. 2, 1923.....	7 applications
Feb. 4, 1924.....	9 applications
April 7, 1924.....	20 applications
*April 7, 1924.....	4 applications
April 28, 1924.....	2 applications
—	64 applications

***Applications for reinstatement.**

Of the above, at its regular meetings, fifty-six petitions were favorably acted upon and admitted to membership and one was rejected. In addition thereto, four applications for reinstatement and two applications of new members are now before the body for their action upon ballot at the next regular business meeting.

In obtaining the above results, your committee begs to report that a complete list of Denver lawyers who were not members of the Association was tabulated and a careful canvas made thereof, covering the field looking towards the obtainment of members for our Association.

It is the usual custom for the Membership Committee to convey to the President such matters of importance as may be of benefit to the Association, and after some consideration it is the sense of this committee that the applications of the newer acquired lawyers be not here sought until they shall manifest the nature of their practice and their regard for professional ethics, and for the further reason that men just out of the University are not definitely located. This idea is conveyed to the Association not to restrict the membership but for the purpose of obtaining the best possible material so as to make the Bar Association an influential factor in the community.

The report of your committee could not possibly be complete without mentioning our appreciation of the earnest co-operation of Mr. Jacob V. Schaetzel, who is Secretary of The Denver Bar Association, in assisting us in obtaining several of the candidates.

MISSING BOOKS

The following volumes are missing from the District Attorney's library

in the West Side Court. If any lawyers have them, they will confer a favor on the District Attorney by notifying him, and he will send for them:

Vols. 10 and 22, American Reports.

Vol. 17, Southwestern.

Vol. 27, Corpus Juris.

Session Laws Colorado, 1917.

**REPORT OF GRIEVANCE
COMMITTEE**

Ernest L. Rhoads, Chairman

The Grievance Committee has been especially fortunate in having had as its members men who were willing to give hearty co-operation to the work of the committee. As a result of this co-operation frequent meetings have been held and no meeting has been postponed for lack of a quorum. I desire to thank Messrs. Robert Collier, Edward Upham, Chas. Haines and Kenneth Robinson for the service they have performed.

Fifty odd matters have been presented to the committee and disposed of, either by the chairman or by the committee, as a whole.

Disbarment of one attorney has been recommended and in conjunction with the Grievance Committee of the Colorado Bar Association proceedings are being instituted. The conduct of two other attorneys is now being investigated and charges may follow.

We have had the pleasure to iron out many small differences between attorney and client, usually to the satisfaction of both.

Two important matters are being considered at this time. One involving the question of the solicitation of damage suits in Colorado by a group of attorneys in Minneapolis; the other is the question presented at the last meeting of the State Association with reference to a better organization by having, if possible, every attorney a member of the State Association under direct supervision of the Supreme Court.

These matters will be presented to the meeting of the Association on May 19, 1924, at which time action will be recommended.