Kelfer is New President
Of Amarillo Bar

AMARILLO, January 6. Charles H. Kef-fer was elected president and R. A. Wil-son was named vice president at the annual meeting of the Amarillo Bar As-sociation. E. E. Jordan is the new sec-retary-treasurer.

Committee members were appointed as follows: executive committee, William Q. Boyce, chairman, O. D. Thompson, Riley Strickland, Irwin Ochsner, Ben P. Mon-ning, and J. B. Dooley; ethics, A. A. Lumpkin, chairman, B. L. Morgan, H. L. Adkins, William Sutton, and R. A. Stone; and grievances and discipline, H. C. Pip-kin, chairman, James Lumpkin, G. H. Little, R. K. Harty, and F. A. Cooper.

Dooley Talks on Problems
Of Rules Committee

AMARILLO, February 3. J. B. Dooley, member of the Supreme Court's advisory committee on rule-making power, discussed the work of the committee and problems confronting it at the February meeting of the Amarillo Bar Association.

Bell-Lampasas-Mills Bar
Favors Federal Rules

TEMPLE, February 14. John B. Daniel of Temple was elected president of the Bell-Lampasas-Mills County Bar Association at its meeting in the Doering Hotel. He succeeds Lee Curtis of Belton. Sylvester Lewis of Lampasas and Joe Carroll of Temple were named vice president and secretary-treasurer, and Jim Evetts of Belton was re-elected editor.

Tom McCullough of Dallas made a brief talk on the recent progress of the Texas Bar, and a paper presented by Winbourn Pearce of Temple, member of the Supreme Court advisory committee on rule-making power, was discussed by W. O. Cox, Walker Saulsbury, and John B. Daniel. The association voted to recommend to the committee that it follow, wherever practicable, the basic rules of federal procedure.

Appointed to a committee to coordinate suggestions of members of the local bar so that definite recommendations might be made at the next meeting were Judge Few Brewster, Mr. Saulsbury, and W. R. Brown of Temple, Judge M. M. White of Belton, and Judge John Abney of Lampasas.

Shirley Conducts Valley
Rules Institute

HARLINGEN, February 10. Judge James R. Norvell, recently appointed associate justice of the San Antonio Court of Civil Appeals, was honor guest of Cameron, Hidalgo, and Willacy County Bar Associations at a banquet in the Reese-Wil-mond Hotel. The banquet followed a legal clinic, conducted in the afternoon by Preston Shirley, professor of law at The University of Texas, on the proposed rules of civil procedure.

Resolutions were adopted favoring adoption of pre-trial procedure; incorporation into the new rules of procedure of the provisions of New Federal Rule 49, regarding the method of submitting a case to the jury; and giving the trial court power specifically to find upon all issues raised by the pleadings and evidence which were not requested by one of the parties to be submitted to the jury.

Considerable discussion but no formal action took place on the questions of objections and requests as methods of raising an error in the submission of a case to the jury, and what constitutes an ultimate issue of fact to be submitted. Consensus was that the present practice in Texas requires too many issues to be submitted and a too-detailed submission of specific questions of fact.

Angus Wynne of Longview, president of the Texas Bar Association, spoke on the proposed rules of conduct for the
State Bar at the banquet, and Harry Lauderdale of Mercedes, Hidalgo County Bar Association president, was toastmaster.

If lawyers do not free themselves from the inertia of the past and take some interest in the bar, Mr. Wynne told the Valley associations, they will face the socialization that is being attempted in the medical profession. Unless the lawyers join together and prove to the public that they can conduct their business properly, bureaus and administrative boards will undermine the whole profession, he warned.


Also, District Attorneys Frank Lloyd of Alice and Tom Hartley of Edinburg;
United States District Judge Whit Davidson; John Liles, president of Nueces County Bar Association; Harold Stanard, San Antonio Bar Association president; Randolph Carter of San Antonio, member of the Supreme Court advisory committee on rule-making power; Highway Commissioner Robert L. Bobbitt of San Antonio; United States Assistant District Attorney George Johns of Houston; and Representative Joe Keith of Sherman.

Dallas Installs Officers,
Hears Wynne

DALLAS, January 29. New officers of Dallas Bar Association were installed at the annual dinner-dance at the Dallas Country Club. Angus G. Wynne of Longview, president of Texas Bar Association, delivered the principal address.

J. Glenn Turner, retiring president, introduced his successor, Paul Carrington. Others taking office were Nathaniel Jacks, R. G. Scurry, and Douglas E. Bergman, vice presidents, and T. J. Holcombe, secretary-treasurer.

A birthday cake was presented to Harry P. Lawther, dean of Texas lawyers, in observance of his eighty-first birthday.

Services for Judge Meek
Are Conducted

DALLAS, January 31. Memorial services for the late Federal Judge Edward R. Meek were held by the Dallas Bar Association in Judge William H. Atwell’s court room. Bishop Harry T. Moore, lifelong friend of Judge Meek, delivered the eulogy. He praised him as a jurist and lauded his character.


Court Sesquicentennial
Observed at Clinic

DALLAS, February 3. The 150th anniversary of the United States Supreme Court was observed by Dallas Bar Association at its legal clinic in the Forty-fourth District Court room. J. W. Gormley spoke on the first Supreme Court, which was inducted into office February 1, 1790.

El Paso Bar Roasts
Its Speakers

EL PASO, January 27. Members of the El Paso Bar Association turned their annual meeting in Hotel Cortez into a grid-iron banquet and spent an evening roasting the speakers on the formal program, listening to talks by impromptu candidates for the Court of Civil Appeals, and attempting to dispense with President Allen R. Grambling.

Angus G. Wynne of Longview, president of the Texas Bar Association and the only announced speaker on the program who was allowed to speak, mixed humor with his discussion of the State Bar Act and was cheered by those who called themselves the rougher element of the El Paso Bar Association. William Flournoy, for three years a member of the board of directors, was elected to the presidency without opposition. Also elected unanimously were J. M. Goggin and Roy Jackson, directors; Ernest Guinn, treasurer; and Wyndham K. White, secretary.

Judge R. L. Nichols vigorously denounced Eugene R. Smith’s denunciation of the program, which listed as topics of discussion “Common School Districts as Legal Entities,” “Practice Before the National Labor Relations Board,” “The Mosaic Law,” “Rules of Federal Procedure,” and “The Fifteenth Amendment.” Mr. Smith questioned the ability of the individual speakers to discuss any of the subjects, pointing out specifically that Hon. Charles A. Boynton, being judge of the United States District Court, could not be expected to know anything about federal procedure.

After considerable agitation, the program was abolished, and only by outshouting the rougher element was President Grambling able to retain his position. Ballard Coldwell announced his candidacy for the Court of Civil Appeals, and Mr. Smith was nominated by E. F. Cameron. Platforms included promises of inefficiency and reversal of every case reviewed by the court. Speaking on the sins of the fathers, William E. Ward received the greatest number of laughs for his references to his own parent, Judge M. V. Ward, and to the fathers of other
The rougher element of the El Paso Bar Association got the upper hand at the annual meeting January 27, and turned it into a gridiron banquet. Seated at the speakers’ table at the left are R. E. Cunningham, W. D. Howe, Judge Edwin Mechem of Las Cruces, president of New Mexico Bar Association, Chief Justice P. R. Price of the Eighth Court of Civil Appeals, Angus G. Wynne, president of Texas Bar Association, Allen Grambling, El Paso Bar Association president, United States District Judge Charles A. Boynton, Dave Mulcahy, District Judge James B. McGeehe of Roswell, N. M., Paul Thomas, and Wyndam White.

younger members of the association. James Hulse’s anti-New Deal Jackson Day speech was answered by Ernest Guinn, who declared that the entire address was written by W. H. Burges, an ardent supporter of the present Administration.

William E. Clayton, assistant district attorney, appeared as a stylishly dressed woman judge to address the bar on the statutes of Texas requiring that a married woman be examined privily and apart from her husband. The meeting closed with an invitation to the members to return at midnight to hear the speech which Judge Coldwell had been attempting to make all evening.

M. J. Levy Succeeds Coltzer
As Galveston President

GALVESTON, February 6. Elected president of Galveston County Bar Association at its annual meeting in the Tenth District Court room was Marion J. Levy. Other new officers are Theodore B. Stubbs, vice president, Donald M. Markle, secretary, and Edward W. Watson, treasurer.

George W. Coltz, retiring president, M. L. Cook, James H. Phipps, Herman Kleinecke Jr., and Marsene Johnson Jr. were named to the board of directors. On the motion of Owen D. Baker, the association voted to honor Associate Justice George W. Graves of the Court of Civil Appeals at its annual banquet in the Buccaneer Hotel March 8. All lawyers of the Galveston district have been invited to attend. Reservations should be made with the secretary of the association at 522 Anico Building in Galveston.

Gregg County Lawyers
Install Officers

LONGVIEW, February 2. New officers of Gregg County Bar Association were installed at a banquet in the First Christian Church. They are Judge Richard B. Levy, president; L. F. Burke, first vice president; R. O. Kenley, second vice president; Clyde H. Hall, third vice president; and W. C. Holloway Jr., secretary-treasurer.

Brief talks were given by Judge Levy and Angus G. Wynne, president of the Texas Bar Association. Entertainment included a musical program and performance by an amateur magician.

Houston President’s Report
Outlines Year’s Activities

HOUSTON, January 5. Activities of the Houston Bar Association and its ten committees for 1939 were outlined in a report prepared by former President J. S.
Bracewell. Newest ventures of the association were the sponsoring of legal institutes and the opening of a central office under the direction of an executive secretary.

St. John Garwood was chairman of the committee on legal institutes, which has sponsored eleven lectures at a total cost to the association of $509.27. Collection and publication of the lectures was suggested. An estimated cost of $1,500 a year will be required to maintain the central office, Mr. Bracewell reported. Mrs. Ruth Laws was appointed executive secretary in October.

Organization of a benevolent association among the lawyers to relieve distressed and unfortunate members of the Houston Bar and their families was discussed during the year. Mr. Bracewell appointed a committee to study the situation and report some plan of organization. The fellowship and memorials committee, headed by Ewing Werlein, performed other personal services to members of the association and their families. It visited the sick, drafted memorials to the seventeen members who died during the year, and sent floral offerings to the funerals.

Fifteen cases were handled by the free legal aid committee in 1939. With Lester Settegast as chairman, it limited its services to cases referred to it by recognized social agencies. The grievance committee studied thirty-three complaints, most of them growing out of disagreement between lawyers and clients as to the amount of fee or the extent of services. Roy Arterbury was chairman. Extensive negotiations with abstract and title companies were carried on by R. R. Lewis's unauthorized practice committee, working in cooperation with the Houston Junior Bar Association.

At its annual meeting in January, 1939, the association asked for the creation of three more district courts for Harris County. Work of the legislative committee, of which Sam Neathery was chairman, resulted in the establishment of the 127th District Court. The committee actively opposed House Bill 288, which would have authorized admission to the bar without examination of graduates from certain law schools, and several officers of the association supported the State Bar Act and Rule-making Power Act by letters, telegrams, and petitions.

"They are undoubtedly calculated to do more for lawyers and the administration of justice in Texas than any other laws that have been passed by the Legislature in many years," Mr. Bracewell declared of the two acts.

The legal education committee, headed by Murray G. Smyth, investigated and passed on 114 applicants for the bar examinations and nineteen prospective teachers to assist students in preparing for the examinations. Members of the Houston Bar Association have been classified by the membership committee as to buildings, membership in the Junior Bar Association, and active practice. Harry Dow was chairman of the committee, and C. E. Coolidge was co-chairman. Revenues from membership dues during 1939 amounted to $1,932, an increase of $340 over the previous year. Receipts for 1940 are expected to total $3,000, Mr. Bracewell said.

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Lubbock Recommends Use Of Federal Rules

LUBBOCK, January 13. Recommendation that the rules of civil procedure for
the district courts of the United States be used as a basis for promulgation of Texas rules was made in a resolution adopted by the Lubbock County Bar Association and sent to each member of the Supreme Court's advisory committee on rule-making power. Copies were mailed also to each county in the state and to the law schools at The University of Texas, Baylor, and S. M. U.

Increasing business of the average Texas lawyer in the federal courts makes it necessary to bring the state system as nearly as possible into conformity with the federal system, the resolution stated. The federal rules were found to be simple and easily understood and to facilitate the disposition of business by the courts.

Eleven specific suggestions of the Lubbock County Bar included the recommendations that the present method of obtaining service by citation upon defendants at the institution of suit be preserved, but that the method of service of all subsequent pleadings or motions be as prescribed by the federal rules; that Section III, Rules 7 to 16 inclusive, relating to pleadings and motions be adopted in their entirety, with only such changes in the wording as necessary to eliminate provisions regarding the United States; that Section LV, Rules 17 to 25 inclusive, relating to parties, be adopted in substance; and that the present provisions for depositions and discovery in Texas, being simpler and more efficient than those provided for in the federal rules, be preserved.

The resolution asked that trial upon special issues be abolished except when all parties request such submission and agree upon the issues to be submitted, and that Section VI, Rules 38-43 and 46-52 of the federal rules relating to trial be adopted as rules of practice in the state courts; that demurrers and exceptions to pleadings be abolished; that simplified rules of pleading, similar to those in the Appendix to the federal rules, be adopted; that rules permitting the summary entry of judgments by default in all civil actions except divorce, where the defendant has failed to answer within twenty days after service of process is completed; that the terms of the district court, as far as possible, be abolished, and the district judges be authorized to designate the times at which they will hold court in their districts. In this connection, the resolution stated, citations should not be made returnable to any particular date or term of court, but should require answer within twenty days from the date service is completed.

Also recommended were definite relaxation of rules concerning comments by the Court in the presence of the jury, communications between the Court and jury, and matters which might be discussed by the jury in its deliberations, making the requirement that conclusive evidence of prejudice to the offended party must be shown before the verdict may be set aside, or a reversal of the case permitted; and adoption of rules requiring the filing of briefs in the Court of Civil Appeals by the appealing party within thirty days from the date of the filing of the appeal, and requiring the Courts of Civil Appeals to set cases for submission in their order as they are filed, such submission date to be not less than sixty or more than ninety days after the date of filing of the record on appeal.
San Patricio County
Elects W. B. Moss

ARANSAS PASS, February 8. W. B. Moss, Sinton attorney and former county judge, was elected president of San Patricio County Bar Association. J. G. Cook of Sinton was named vice president, and William E. Nicholas of Aransas was re-elected secretary and treasurer.

Taylor County Lawyers Favor Conservatism

ABILENE, February 3. Discussion of the proposed rules of practice and procedure to be promulgated by the Supreme Court of Texas was led by Dallas Scarborough, advisory committee member, at a luncheon meeting of Taylor County Bar Association in the Hilton Hotel.

A majority of the members present concurred in the view that conservatism should govern the writing of the rules, with few, if any, radical changes in procedure. T. E. McMahon presided at the meeting.

3 New Committees to Aid Travis County Bar

AUSTIN, February 6. Three new committees of the Travis County Bar Association were appointed by Judge Ralph Yarborough, president, at a called meeting in the Ninety-eighth District Court room. Their duties will be to visit sick and needy lawyers, revise the constitution and by-laws, and work on the establishment of a county court at law for Travis County.

Resolutions in memory of Warren W. Moore were presented by Judge George E. Shelley. The association voted to accept the free radio time offered to the traffic safety committee, and J. L. McGarrity and William G. Yarborough were added to its membership.

Austin Banquet Honors Federal Judges

AUSTIN, February 13. The legal profession in Texas has made more progress in the last two or three years than in the fifty years preceding that period, Judge Few Brewster of Temple told the Travis County Bar Association at its banquet in the Stephen F. Austin Hotel. Judge Brewster attributed this advancement to higher requirements for admission to the bar and to the passage of the State Bar and Rule-making Power Acts.

The banquet was in honor of United States Circuit Judge Samuel H. Sibley of Atlanta, Ga., and Federal District Judges Robert J. McMillan of San Antonio and James V. Allred of Houston, who were in Austin for the trial of a case. W. A. Keeling, vice president of the Travis County Bar Association, acted as toastmaster in the absence of Judge Ralph Yarborough, president.

Also at the speaker's table were Chief Justice C. M. Cureton and Associate Justices John H. Sharp and Richard Critz of the Supreme Court, and the following Austin lawyers who are former presidents of the Texas Bar Association: Claude Pollard, former attorney general; Robert W. Stayton, University of Texas law professor; Walter Woodward, life insurance chairman; George Shelley, and Ben H. Powell. Other guests included Supreme Court Commissioners J. E. Hickman and C. S. Slatton, Chief Justice James W. McClendon and Associate Justice M. B. Blair of the Court of Civil Appeals, District Judges Roy Archer and J. D. Moore, Attorney General Gerald Mann, Senator Joe Hill, and E. M. Critz of Coleman, director of the Texas Bar Association.