

**PROCEEDINGS OF THE SEVENTEENTH
ANNUAL SESSIONS OF THE TEXAS BAR
ASSOCIATION, HELD IN THE CITY OF
GALVESTON JULY 27, WITH THE OFFICERS,
STANDING COMMITTEES, AND ROLL OF
MEMBERS FOR THE YEAR 1898-99**

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Proceedings of the Seventeenth Annual Sessions of the Texas Bar Association, Held in the City of Galveston July 27, with the Officers, Standing Committees, and Roll of Members for the Year 1898-99 by Texas Bar Association

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TEXAS BAR ASSOCIATION

**PROCEEDINGS OF THE SEVENTEENTH
ANNUAL SESSIONS OF THE TEXAS BAR
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Very truly yours,
C. F. Dillards

PRESIDENT.

PROCEEDINGS
OF THE
SEVENTEENTH ANNUAL SESSION
OF THE
TEXAS BAR ASSOCIATION,
HELD IN THE
CITY OF GALVESTON, JULY 27, 28 AND 29, 1898,
WITH THE
OFFICERS, STANDING COMMITTEES AND ROLL OF MEMBERS
FOR THE YEAR 1898-99,
AND
RULES FOR THE COURTS OF TEXAS.

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PRINTED BY ORDER OF THE ASSOCIATION.
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These Proceedings are published by authority and distributed to members of the Association.

CHARLES S. MORSE, *Secretary.*

The eighteenth annual session of the Association will be held in the City of Galveston, on the last Wednesday in July, A. D. 1899.

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PROCEEDINGS
OF THE
SEVENTEENTH ANNUAL SESSION
OF THE
TEXAS BAR ASSOCIATION,
HELD IN THE
CITY OF GALVESTON, JULY 27, 28 AND 29, 1898.

FIRST DAY.—MORNING SESSION.

The Seventeenth Annual Session of the Texas Bar Association was held in the city of Galveston, commencing Wednesday, July 27th, 1898.

Hon. Wm. Aubrey, President of the association, called the meeting to order, and, a quorum being present, the reading of the minutes of the last annual meeting was, on motion, dispensed with.

The regular order of business was dispensed with in order to allow the Board of Directors to make the following report:

To the President and Members of the Texas Bar Association:

The Board of Directors submits the following Report and Order of Business:

FIRST DAY.

1. Election of new members.
2. Opening address of the President.
3. Election of Board of Directors.
4. Reports of Secretary and Treasurer.
5. Report of Committee on Jurisprudence and Law Reform.

PROCEEDINGS OF THE

6. Report of Committee on Judicial Administration and Remedial Procedure.
7. Report of Committee on Legal Education and Admission to the Bar.
8. Report of Committee on Commercial Law.
9. Report of Committee on Criminal Law.
10. Report of Committee on Publication.
11. Report of Committee on Grievances and Discipline.
12. Report of Special Committee.

SECOND DAY.

1. Annual Address, by Judge Samuel J. Hunter.
2. "Science and Sentiment," by the Hon. Norman G. Kittrell.
3. "Recent Noteworthy Decisions of Our Texas Courts," by Hon. R. R. Webb.
4. "The New Bankruptcy Law," by Judge Geo. E. Miller.
5. Any business left over from the first day.

THIRD DAY.

1. "The Courts," by Hon. Jonathan Lane.
2. "In the known certainty of the Law there is safety for all," by the Hon. W. A. Kincaid.
3. Election of officers.
4. Miscellaneous business.
5. Selection of the place of the next annual meeting.

We recommend that after each paper or report is read a free discussion thereof immediately follow.

We have examined the reports of the Secretary and Treasurer for the past year and we find the reports correct, and recommend that they be adopted.

We recommend that the following applicants be duly elected members of this association: Carlos Bee, San Antonio; J. D. Childs, San Antonio; John L. Dyer, Jr., Waco; H. G. Evans, Bonham; R. A. Greer, Beaumont; J. D. Gulnn, San Antonio; Theodore Harris, San Antonio; Yale Hicks, San Antonio; Byron Johnson, Galveston; John A. Kirlicks, Galveston; J. R. Norton, San Antonio; J. F. Onion, San Antonio; Edwin B. Parker, Houston; John L. Peeler, Austin; W. M. Petticolas, Victoria, John Sehorn, San Antonio; W. W. Turney, El Paso; James R. Tolbert, Vernon.

Respectfully Submitted,

H. C. CARTER,
P. K. EWING,
F. C. PROCTOR.
Directors.

On motion the report of the Board of Directors was adopted, and the applicants recommended by them were duly elected members of the association.

The Secretary then read his annual report, which is as follows:

GALVESTON, TEXAS, July 27, 1898.

To the President and Board of Directors of the Texas Bar Association:

GENTLEMEN:--I have the honor to submit herewith my seventeenth annual report as Secretary. My last report published in full in the proceedings of last meeting, pages 6-8, shows that the Board of Directors had drawn drafts on the Treasurer for accounts due for \$446.25, and the Treasurer's report shows there was but \$147.44 on hand. This left a balance due of \$298.81 to be collected and paid.

There were twenty-nine new members elected at last meeting from whom I collected five dollars each, amounting to \$145, and I have collected dues for 1897 since my last report from eighty-three members at \$2.50 each, amounting to \$207.50, and back dues \$27.50, making a total of \$380, which, added to the amount in hands of Treasurer makes a total of \$527.44, out of which was paid the drafts of \$446.25, drawn by the Board of Directors for 1897, which left a balance on hand of \$81.19 in the treasury.

I attach hereto a list of the members from whom I received the amounts stated above.

The expenses for publishing the proceedings of 1897, postage, envelopes, etc., down to date of this present meeting amount to \$465.95, as per itemized statement, receipts, etc., examined and approved by the Board of Directors. The Treasurer has on hand but \$41.19 with which to pay this amount, leaving a balance due of \$384.76 to be paid from the results of this meeting and the dues of all members for 1898. It is confidently expected that the amounts collected will be amply sufficient to do this and still leave a balance to be placed in the treasury.

Some few members have promptly remitted their annual dues for 1898, but no mention of this is made in this report, as no receipts have yet been forwarded, and I think it advisable for the entire amount of dues for 1898 to appear in full in the Secretary's report for 1899.

The average annual expenses of the association,—getting out the proceedings, printing, stationery and postage,—is \$450, and if the members will all pay promptly there will be more than a sufficient fund to pay all expenses and provide well for an annual banquet.

Some of our members are in arrears over four years for dues, and while the by-laws require me to drop their names from the roll, I have hesitated to do so, trusting that the amount in arrears would be paid. In some instances this has been done, but I am now instructed again to drop from the roll of membership the name of any member who fails to pay such dues prior to the time of printing the proceedings of this session.

An examination of the roll of members, as printed in the proceedings of our last annual session, shows we then had three hundred and seven members, eight of whom are not with us today, for their names have been added to the roll of deceased members.

I think it was a good plan for the Secretary to publish in the printed proceedings, the name of each member who pays dues, as was done for a few years, and I regret that the association has directed otherwise. He must continue, however, to furnish such list to the Board of Directors, and I have attached such list to this report.

I also submit herewith a list of new members received at last meeting:

W. W. Anderson, Velasco; A. J. Bell, Karnes City; Grant R. Bennett, Galveston; L. C. Clifton, Farmersville; Henry Ben Cline, Hous-

ton; John T. Duncan, LaGrange; R. R. Gaines, Paris; Hiram Glass, Texarkana; C. Grempczynski, Galveston; E. A. Hawkins, Jr., Galveston; N. Henderson, Wichita Falls; J. S. Hogg, Austin; J. A. Holland, Orange; W. M. Holland, Houston; S. P. Hoff, Wichita Falls; Ashby S. James, Austin; C. L. Jester, Corsicana; A. D. Lipscomb, Crockett; Geo. E. Miller, Wichita Falls; J. S. McEachin, Richmond; J. B. McMahon, Temple; D. R. Peareson, Richmond; R. B. Pool, Cameron; Sam Streetman, Cameron; William Thompson, Dallas; Mann Trice, Dallas; William H. Wilson, Houston; W. A. Wright, San Angelo and John L. Young, Dallas.

Respectfully submitted,

CHAS. S. MORSE,
Secretary.

The Treasurer then presented and read his annual report as follows:

GALVESTON, TEXAS, July 27, 1898.

To the President and Board of Directors of the Texas Bar Association:

Gentlemen: I have the honor to submit herewith my annual report as treasurer, showing the receipts and disbursements for the past year:

Receipts:

| | |
|---------------------------------------|-----------------|
| Balance on hand, per last report..... | \$147.44 |
| Amount received from secretary..... | 380.00 |
| Total..... | <u>\$527.44</u> |

Disbursements:

| | |
|--|----------------|
| Amount paid attached drafts drawn by board of directors..... | \$448.25 |
| Balance in treasury..... | <u>\$81.19</u> |

Respectfully submitted,

WM. D. WILLIAMS,
Treasurer.

The following members of the association were elected to serve as a Board of Directors for the next year: T. J. Ballinger, Galveston; M. A. Spoons, Fort Worth; W. C. Oliver, Houston; T. H. Wash, San Antonio, and A. E. Wilkinson, Austin.

The Committee on Jurisprudence and Law Reform asked for and were granted until tomorrow morning to present their report.

The Committee on Judicial Administration and Remedial Procedure were granted until tomorrow to complete and present their report.

The Committee on Legal Education and Admission to the Bar