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The West Virginia Bar Association

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THE WEST VIRGINIA BAR ASSOCIATION

1943 ANNUAL MEETING

The officers and Executive Council of the West Virginia Bar Association have been giving consideration to the time and place for holding the 1943 annual meeting of the Association. The intention is to hold such meeting, although perhaps on a somewhat abbreviated scale, if at all possible. In view of war-time conditions, and transportation difficulties, it has been thought desirable to make no final decision on the subject until somewhat later in the year. For that reason, no definite announcement with respect to the meeting can be made at this time.

REPORT OF 1942 ANNUAL MEETING

The fifty-sixth annual meeting of the West Virginia Bar Association was held at Wheeling, West Virginia, on October 8th and 9th, 1942. A meeting had not been held at Wheeling by the Association since 1936. Other meetings were held at Wheeling in the years 1888, 1895, 1902, 1913, 1920, and 1927. Although the war was already in the minds of everyone, the attendance was good under the circumstances and there were more than 120 attorneys in attendance from all parts of the state.

The theme of the meeting was "The Lawyer in War Time" and the annual address of the President, George Richardson, Jr., of Bluefield, was entitled "The Justice of Our Cause". The Honorable J. W. Maxwell of Beckley gave an address on "The Lawyer in War Time", and an interesting address was given by Colonel Christopher B. Garnett of Arlington, Virginia, and Washington, D. C., who was American Commissioner on the Mixed Claims Commission of United States and Germany after the first World War. Colonel Garnett's subject was "Sabotage in America Before the United States Entered the First World War". During the course of the meeting, tribute was paid to members of the Association serving in the Armed Forces of the United States, it being disclosed that out of 874 members approximately 250 were in the armed services of the country and more than 50 were holding civilian legal positions in various war agencies throughout the nation.

An innovation in the state of West Virginia is a State Court of Claims for the adjudication of claims of specified types against

the state as the basis for appropriation and payment by the legislature. Walter M. Elswick of Hinton, a member of the State Board of Claims, reviewed the work of this new court.

Consideration of war-time conditions at the annual meeting led to the adoption of two amendments to the constitution of the Association: (1) authorizing the Executive Council to determine the advisability of holding a regular annual meeting in any year during the period of the present national emergency and empowering the council to conduct an election of officers by mail or otherwise in the event that it is not deemed advisable to hold an annual meeting in any year during such emergency, and (2) empowering the Executive Council during the present war period to make provision for sustaining memberships on a voluntary basis. The Association adopted all of the recommendations of its Committee on Judicial Administration and Legal Reform. Among these recommendations were the following: (1) A proposal to amend the rule-making power of the Supreme Court of Appeals to include the power to establish and promulgate rules of evidence. (2) A proposal for the drafting and submission to the Supreme Court of Appeals of a complete set of rules of practice and procedure for civil and criminal cases. (3) A proposal for the institution of pre-trial conference procedure in the trial courts of the state. (4) A proposal for the nonpartisan nomination and election of judges.

The Association also reaffirmed its long-time position in favor of the adoption of the Integrated Bar Plan in West Virginia and directed the Committee on Legislation to seek the enactment of such a statute by the 1943 legislature. The Committee on Legislation carried out this direction and the bar integration proposal was duly adopted by a large favorable vote of both houses of the legislature in March 1943, but the act was vetoed by the governor of the state.