

**PROCEEDINGS OF THE NINTH ANNUAL
SESSIONS OF THE TEXAS BAR
ASSOCIATION, HELD IN
THE CITY OF GALVESTON, AUGUST 6
AND 7, 1890, WITH THE CONSTITUTION
AND BY-LAWS.**

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Proceedings of the Ninth Annual Sessions of the Texas Bar Association, held in the city of Galveston, August 6 and 7, 1890, with the Constitution and by-laws. by Various

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PROCEEDINGS
OF THE
NINTH ANNUAL SESSION
OF THE
TEXAS BAR ASSOCIATION,

Held in the
CITY OF GALVESTON, AUGUST 6 AND 7, 1890,

WITH THE
CONSTITUTION AND BY-LAWS.

ALSO
OFFICERS, STANDING COMMITTEES AND ROLL OF MEMBERS,
FOR THE YEAR 1890-'91.

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

CHAS. S. MORSE, *Secretary*.

The tenth annual session of the Association will be held in the City of Galveston, on the last Wednesday in July, A. D. 1891.

EUGENE VON BOECKMANN, PRINTER.

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TEXAS BAR ASSOCIATION.

CONSTITUTION.

ARTICLE I.—NAME AND OBJECTS OF THE ASSOCIATION.

SECTION 1. This Association shall be called the TEXAS BAR ASSOCIATION.

SEC. 2. Its objects shall be to advance the science of jurisprudence, promote the uniformity of legislation in the administration of justice throughout the State, uphold the honor of the profession of the law, and encourage cordial intercourse among its members.

ARTICLE II.—MEMBERSHIP.

SECTION 1. Any attorney of the Texas bar, in honorable standing, upon his written application, may be admitted to membership at any regular meeting of the Association. Said application must be endorsed by three members of the Association, and a fee of \$5 shall accompany the same—\$2.50 initiation fee and \$2.50 annual dues.

SEC. 2. Such application shall be referred to the Board of Directors, who shall report the same to the Association, and, if said report be favorable, a ballot shall be taken, and if four-fifths of the members voting shall be in favor of the applicant he shall be declared elected.

ARTICLE III.—OFFICERS AND THEIR DUTIES.

SECTION 1. The officers of the Association shall be a President, a Vice-President, a Secretary and a Treasurer, who shall be chosen by ballot at a regular meeting, by a majority of the members present and voting.

SEC. 2. There shall be a Board of Directors, five in number, elected at the same time and in the same manner with the officers; and the President and Vice-President shall be ex-officio members of the Board.

SEC. 3. The officers and Directors shall hold their places for one year, and until their successors shall be elected; provided, that the same person shall not be elected President two years in succession.

SEC. 4. The duties of officers shall be such as usually devolve upon such positions, and may be regulated and prescribed from time to time by the Constitution, By-Laws or resolutions of the Association.

SEC. 5. The Board of Directors shall have exclusive authority, and shall exercise executive supervision over the affairs of the Association between its meetings.

SEC. 6. Vacancies in the offices and Board of Directors shall be filled by the Board, the concurrence of a majority of whom shall be necessary to a choice.

ARTICLE IV.—COMMITTEES.

SECTION 1. The following committees shall be appointed annually by the President for the year ensuing, and shall consist of five members each: On Jurisprudence and Law Reform; On Judicial Administration and Remedial Procedure; on Legal Education and Admission to the Bar; on Commercial Law; on Publication; on Grievances and Discipline.

SEC. 2. A committee of three, of whom the Secretary shall always be one, shall be appointed by the President at each annual meeting of the Association, whose duty it shall be to report to the next meeting the names of all members who shall in the interval have died, with such notices of them as shall, in the discretion of the committee, be proper.

ARTICLE V.—GENERAL POWERS.

SECTION 1. This Association shall have power to impose fines, assess fees and establish by-laws for its government. It shall have power to remove officers, and suspend or expel members for good cause, upon written charges exhibited against them by a member, and due notice given of the charges and of the time they will be brought before the Association.

SEC. 2. The By-Laws shall prescribe the assessments to be levied on the members for the support of the Association and the promotion of its objects.

ARTICLE VI.—QUORUM.

SECTION 1. Twenty five members in regular standing shall constitute a quorum for the transaction of business.

ARTICLE VII.—ANNUAL ADDRESS.

SECTION 1. The President shall open each meeting of the Association with an address, in which he shall communicate the noteworthy changes in statutory and constitutional law, and especially such changes as affect the development and progress of the law and the administration of justice.

ARTICLE VIII.—MEETINGS.

SECTION 1. A majority of the members present at an annual meeting of this Association shall designate the time and place for holding the next annual meeting.

ARTICLE IX.—AMENDMENTS.

SECTION 1. All propositions to alter, amend or add to this Constitution

shall be made in writing at a meeting of the Association, and filed with the Secretary at least one month before being acted upon, and shall not be adopted without the concurrence of two-thirds of the members present.

ARTICLE X.—DUES.

SECTION 1. Each member of the Association shall pay to the Secretary the sum of \$2.50 as annual dues.

BY-LAWS.

ARTICLE I.—PRESIDING OFFICERS.

SECTION 1. The President, and in his absence the Vice-President, shall preside at all meetings of the Association; if neither of these officers be present, a President pro tem. shall be chosen by and from the attending members.

ARTICLE II.—ADDRESSES AND ESSAYS.

SECTION 1. The Board of Directors, at its first meeting after each annual meeting, shall select some person to make an address at the next annual meeting, and not exceeding six persons to read papers.

ARTICLE III.—ANNUAL MEETINGS AND ORDER OF BUSINESS.

SECTION 1. The order of exercises at the annual meetings shall be as follows:

1. Opening address of the President.
2. The nomination and election of members.
3. Report of the Board of Directors.
4. Election of the Board of Directors.
5. Reports of the Secretary and Treasurer.
6. Reports of Standing Committees, as follows: On Jurisprudence and Law Reform; on Judicial Administration and Remedial Procedure; on Legal Education and Admission to the Bar; on Commercial Law; on Publication; on Grievances and Discipline
7. Reports of Special Committees.
8. The nomination of officers.
9. Miscellaneous business.
10. The election of officers.
11. The annual address, to be delivered by the person selected by the Board of Directors, shall be made at the morning session of the second day of the annual meeting.

SEC. 2. This order of business may be changed at any meeting by a vote of a majority of the members present; and, except as otherwise provided by the Constitution or By-Laws, the usual parliamentary rules and orders will govern the proceedings.

SEC. 3. No person shall speak more than ten minutes at a time, nor more than twice on the same subject.

SEC. 4. A stenographer shall be employed at each annual meeting.

SEC. 5. Each county bar association may annually appoint delegates, not exceeding three in number, to the next meeting of the Association, and such delegates shall be entitled to all the privileges of membership at and during said meeting.

SEC. 6. All papers read before the Association shall be lodged with the Secretary. The annual address of the President, the reports of the committees and proceedings of the annual meetings shall be printed, but no other address made or paper read or presented shall be printed except by order of the Committee on Publication.

SEC. 7. The Board of Directors shall, as soon as parties have been selected to deliver the annual address and read essays, notify the Secretary of this Association of such selections, and of any other matters of especial interest to be brought before the next annual meeting.

SEC. 8. The Secretary shall be and is hereby required to mail each member of the Association, ten days before each annual meeting, a written or printed notice of the time and place of such meeting, giving a statement of the addresses to be delivered, the papers to be read and other matters of especial interest, and shall also cause such notice to be published.

ARTICLE IV.--MEMBERSHIP AND DUES.

SECTION 1. The initiation fee to entitle a person to membership shall be five dollars which shall include the annual dues for the first year.

SEC. 2. The annual dues shall be payable at the annual meeting in advance, and should any member neglect to pay them for any year at or before the next annual meeting, he shall cease to be a member. The Secretary shall give notice of this By-Law, within sixty days after each meeting, to all members in default.

ARTICLE V.—OFFICERS AND COMMITTEES.

SECTION 1. The terms of office of all officers elected at the annual meeting shall commence at adjournment thereof, except the Board of Directors, whose term of office shall commence immediately upon their election.

SEC. 2. The President shall appoint all committees, except the Committee on Publication, within thirty days after the annual meeting, and shall announce them to the Secretary, who shall promptly give notice to the persons appointed. The Committee on Publication shall be appointed on the first day of each meeting.

SEC. 3. The Secretary's and Treasurer's reports shall be examined and audited by the Board of Directors before their presentation to the Association.

SEC. 4. The Board of Directors and all standing committees shall meet on the day preceding each annual meeting, at the place where the same is to be held, at such hour as their respective chairmen shall appoint, and should any member of any committee be absent, the vacancy may be filled by the members of the committee present.

SEC. 5. The Committee on Publication shall meet within one month after each annual meeting, at such time and place as the chairman shall appoint.

SEC. 6. Special meetings of any committee shall be held at such times and places as the chairman thereof may appoint; reasonable notice shall be given by him to each member by mail.

ARTICLE VI.—DUTIES OF COMMITTEES.

SECTION 1. It shall be the duty of the Committee on Jurisprudence and Law Reform to consider and report to the Association such amendments to the law as in its opinion should be adopted; also to scrutinize proposed changes in the law, and, when necessary, report upon the same.

SEC. 2. It shall be the duty of the Committee on Judicial Administration and Remedial Procedure to observe the practical working of the judicial system of the State, and recommend, by written or printed report, from time to time, any changes therein which observation or experience may suggest.

SEC. 3. It shall be the duty of the Committee on Legal Education and Admission to the Bar to report the most suitable means for promoting and facilitating the study of the law, and the necessity or propriety of elevating the standard of qualifications for admission to the bar, and the best means for accomplishing that object.

SEC. 4. It shall be the duty of the Committee on Commercial Law to report the best means to produce uniformity in commercial law and usages.

SEC. 5. The Committee on Publication shall pass upon and have printed all papers, should they deem them of sufficient importance, except as it is otherwise provided by the Constitution and By-Laws.

SEC. 6. The Committee on Grievances and Discipline shall report as to the best means of upholding the honor and dignity of the law in the professional intercourse among the members of the Association. All complaints against any member of this Association shall be presented to this committee, and if the committee shall be of the opinion that the matters alleged are of sufficient importance, they will determine upon the course of procedure for the trial of the same; and shall give notice to the party charged of the nature of the complaint and the time of the trial thereof by the Association; all of which the complainant shall also be notified of by the committee.