



UNC
SCHOOL OF LAW

NORTH CAROLINA LAW REVIEW

Volume 29 | Number 1

Article 7

12-1-1950

Law School, The

North Carolina Law Review

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Recommended Citation

North Carolina Law Review, *Law School, The*, 29 N.C. L. REV. 36 (1950).

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The North Carolina Law Review

VOLUME 29

DECEMBER, 1950

NUMBER 1

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This issue contains a note by DON EVANS, a student at the University of North Carolina School of Law.

Publication of signed contributions from any source does not signify adoption of the views expressed by the LAW REVIEW or its editors collectively.

THE LAW SCHOOL

(From September, 1949 to December, 1950)

ENROLLMENT

In this school, as in law schools generally, the peak of post-war enrollment has been passed. By comparison with the total registration of 288 in 1948 and 280 in 1949, in September of 1950 the total was 250.

The decrease is accounted for by smaller first and third year classes. There is a small increase in the size of the second year class.

This decrease in enrollment is no greater than had been anticipated even before Communist aggression in Korea again brought military service into prominence in the educational prospect. In fact, the military situation accounts for only a small part of the decrease so far experienced, though it may substantially reduce our registration by the fall of 1951.

More important factors, so far as current registration is concerned, are difficulties in placement, graduation of the great majority of those whose law study was interrupted by service in the second World War, and the waning of G.I. benefits. The latter is clearly illustrated by the fact that last year 84 percent of our students were veterans and 96 percent of the veterans were receiving payments under the G.I. Bill. In 1950, while the percentage of students who are veterans has dropped only to 75, the percentage of veterans receiving G.I. benefits has dropped to 72. Stated another way, only 10 of 236 veterans were not on the G.I. Bill in 1949, while this year there are 53 of 187. Only 62 percent of the first year class are veterans, by comparison to 82 percent last year.

The number of our students who are non-residents of North Carolina decreased from 33 in 1949 to 19 in 1950, or from 12 percent to 8 percent. However, this decline is more apparent than real as it is due in part to correction of permanent addresses.

The total number of women students this year is 11, by comparison with 10 last year. The percentage of entering students possessing A.B. or B.S. degrees before coming to Law School increased from 52 in 1949 to 65 in 1950. The number with such degrees is the same—60.

NEGRO APPLICATIONS

The rejection, under state policy, of applications by Negroes resulted in a law suit in which, ultimately, four plaintiffs sought an order to require their admission. The primary legal issue is whether Negro citizens of North Carolina are being offered substantially equal facilities for legal education at the Law School of the North Carolina College at Durham. In the Federal District Court, Judge Johnson J. Hayes, after listening to three days of testimony, decided that such facilities are equal. The case is now on appeal by the plaintiffs to the Court of Appeals for the Fourth Circuit.

THE LAW SCHOOL BUILDING

As indicated in last year's report, Manning Hall is being approximately doubled in size. The new space will provide additional library

facilities, offices, class rooms, study and seminar rooms. Originally, we had hoped to occupy the new wing this fall, but it appears now that we cannot expect to use it prior to March 1st. Meanwhile, we have less space than at any time since the war, and despite the decline in enrollment have less space per student than we had last year. However, when these construction troubles are over we will have, relative to the size of our student body, one of the best law school plants in the country.

THE FACULTY

During the period covered by this report, there have been no changes in the personnel of our faculty. However, I am glad to report that as of September, 1950, Mr. William B. Aycock received a well deserved promotion from Assistant Professor to Associate Professor.

We continue without change in personnel only because several of our men have refused to consider offers (including, in the case of one faculty member, the Deanship of two law schools) involving compensation substantially in excess of the amount they are currently receiving. Over the years, most members of our faculty have declined similar offers. The result has been an unusually stable faculty, with more than ten years elapsing since we have had a resignation from the permanent staff. Particularly in the light of mounting taxes and rising costs of living, I hope we can repay this loyalty with some increase in salaries.

All members of the faculty, other than the Dean, continue their work as advisors to our students. Each first year advisor has twenty-three students, while second year advisors have twenty-eight and third year advisors thirty-five each. In the second and third years the student decides for himself whether and when to consult his advisor, other than at registration time. First year students are required to report for conferences. As an offset to the impersonal relationship which relatively large classes tend to create, we believe that at least one faculty member should know and understand the individual problems of each first year student.

Law faculty members participate actively in the work of the general University faculty. Mr. Wettach is chairman of the Board of Governors of the University Press and is a member of the Advisory Committee and of the Administrative Boards of the Library and the Institute for Research in Social Science. Mr. Van Hecke has served as chairman of the Committee on University Government, which has recently produced a comprehensive revision, approved by the general faculty, of the rules governing faculty committees, promotions, curricula, and many other matters. Mr. Hanft is a member of the Committees on Athletics and Established Lectures. Mr. Breckenridge is on the Administrative

Board of the College of Arts and Sciences, and Mr. Dalzell is a member of the Committee on Retirement Allowances. Mr. Coates, in addition to serving as Director of the University's unique Institute of Government, which he conceived and founded, is a member of the Advisory Committee of the Institute for Research in Social Science. The writer is a member of the Committee on Instruction and of the Administrative Board of the new School of Social Work.

Messrs. Aycock and Van Hecke were recently elected to the Faculty Council which, as of January, 1951, will become the legislative arm of the general faculty. The Dean is a member of this body *ex officio*.

The faculty continued also to participate actively in Bar Association activities. Mr. Coates continued as a member of the North Carolina Bar Association's Committee on Post Legal Education and remained active in the organization of institutes for practicing lawyers. Mr. Breckenridge and the writer have been lecturers at such institutes, and the writer has also served on the Association's Special Committee on Taxation. Mr. Wettach, during 1949-50, was a member of the State Association's Committee on Administrative Law. During the past year, the Dean has been a member of several committees of the International and Comparative Law sections of the American Bar Association.

Mr. Hanft continues as a member of the State's General Statutes Commission. Mr. Coates has been a consultant of the State's Municipal Roads Commission, Stream Pollution Commission, and Advisory Committee on Street and Highway Safety. Mr. Breckenridge has served as a consultant on Corporation Law for the General Statutes Commission. Mr. Baer and the writer have made recommendations and given drafting assistance to the North Carolina Judicial Council. Mr. McCall is currently teaming with officials of the Agricultural Extension Service of North Carolina State College to produce a pamphlet designed primarily to bring to the attention of farmers the importance of making wills.

Turning to the national scene, Mr. Van Hecke has been serving for some months as Chairman of the President's Commission on Migratory Labor. Naturally, we take pride in the deserved reputation which accounts for his appointment. Despite the work involved in this assignment, he is carrying a full teaching load.

Our faculty is also active in the affairs of the Association of American Law Schools. Mr. Van Hecke was a member, in 1949, of the Association's Round Table Council on Labor Law and currently is a member of the Council on Equity. Mr. Aycock is a member of the 1950 Council on Trade Regulation. The writer is completing his second (and final) year as Chairman of the Committee on Lawyers in Federal Service and is a member of the Committee on Law Building Plans and of the Council on Remedies.

Publications by the faculty during the year include Mr. Van Hecke's Co-Editorship of *LABOR LAW: CASES AND MATERIALS*; articles in this *Law Review* by Mr. Baer and the writer; and other contributions to this *Review*, the *Pennsylvania Law Review*, and the *Journal of Legal Education* by Mr. Hanft, Mr. Van Hecke, Mr. Wettach, and the writer.

During the summer of 1950, Mr. Wettach was visiting Professor of Law at the University of Colorado. As a member of the State Department of Labor's Voluntary Arbitration Panel and of the Labor Panel of the American Arbitration Association, he occasionally serves as an arbitrator of labor disputes.

THE LIBRARY

During the fiscal year 1949-50, approximately 1,625 volumes were added to the Law Library. The University, recognizing the very difficult financial problem which all professional libraries now face, has continued into this fiscal year the same special appropriation we received last year. This has enabled us to keep our collection abreast of pressing demands, and we feel that if it can be continued we will not lose our place as one of the better law libraries in the South. The year's acquisitions included important new treatises and texts, new codes, bibliographic tools and reference works, and additions to our English and periodical sections. These, of course, supplemented our heavy continuing requirements in loose leaf services, court reports, citators, digests, legal journals, etc.

Since early summer, because of the construction in progress, we have been compelled to store almost two-thirds of our volumes. (Those remaining in the building are, of course, the volumes in most frequent demand.) We have also been forced to close one of the two reading rooms in Manning Hall, thus throwing an additional load on space in temporary buildings and giving us very difficult servicing problems. Our students of 1950-51 will truthfully be able to say that they had the dubious advantage of proximity to the best inaccessible law book collection in the country.

However, this is temporary. When the addition to our building is completed and our full collection is housed in Manning, we will, so far as space is concerned, have more than adequate facilities.

One grave library problem may continue. We do not have enough trained library personnel. Only the Librarian and Assistant Librarian are on a full time basis. This was possibly an adequate staff when we had less than half the 64,000 volumes we have today. It is inadequate now. If we are to have a Library in which books are used with maximum efficiency, if we are to give adequate service to our own students, to other University students and to the Bar, if we are to have adequate

cataloguing and indexing, then we badly need additional trained library personnel.

We have just received from Mr. W. Stamps Howard, of the Tarboro Bar, an offer to give us between four and five hundred volumes. We have accepted it and are deeply grateful. It is the latest in a long line of substantial gifts which have contributed much to our Library.

SUMMER SCHOOL

We continue our long-standing policy of offering at summer school some courses which it is not possible to offer during the regular school year and of supplementing our own faculty with outstanding teachers from other law schools. During the summer of 1950 our visitors were Percy Bordwell, Professor of Law at the University of Iowa, Professor Clarence Morris of the University of Texas, Associate Professor Frank J. Trelease of the University of Wyoming, and Dean William H. Wicker of the University of Tennessee.

Registration in summer school was markedly lower in 1950 than in 1949. The primary reason for the decline is that no March Bar examination is scheduled to be given after 1951. Our students, by attending the summer sessions, may still graduate at the end of January in their third year, but those graduating after 1951 will gain no time in taking the Bar, which will be given only in August.

ACADEMIC ACHIEVEMENT

As indicated by the masthead of this issue, the staff of the *Law Review* is one of the largest in our history. Each of the students listed achieved a B average to become eligible for the staff. Mr. Aycock is the principal faculty advisor to the Editors and staff of the *Review*, though all members of the faculty supervise the preparation of student notes.

Student scholastic honors, other than selection to to the staff of the *Review*, were as follows:

Eight students, on the basis of standing in the top 10 percent of the class, were elected to the Order of the Coif, an honorary society with chapters in some 38 law schools. These students in the order of their standing were: Ralph M. Stockton, Robert D. Larsen, Leonard S. Powers, Clark C. Totherow, Charles L. Fulton, Robert L. Hines, William V. Burrow, and Max O. Cogburn.

The degree of J.D. (requiring a B.S. or A.B. degree before entering Law School, a B average in Law School, and satisfactory contributions to the *Law Review*) was awarded to William V. Burrow, Charles L. Fulton, O. Max Gardner, Jr., Robert L. Hines, Edward B. Hipp, Robert D. Larsen, Leonard S. Powers, Marshall B. Sherrin, Jr., Basil L.

Sherrill, Marshall T. Spears, James L. Tapley, Clark C. Totherow, and Algernon A. Zollicoffer, Jr. This is the largest group to receive the J.D. degree in the history of the School.

The degree of LL.B. with Honors was awarded to Ralph M. Stockton, Jr.

The U. S. Law Week award to the student making the most satisfactory scholastic progress in the senior year was awarded to Miss Barbara M. Stockton.

In the American Trust Company's Will Drafting Contest, first prize for this School went to John R. Haworth and second prize to Richard E. Wardlow.

Students winning the Bancroft-Whitney Company and Lawyers Cooperative Publishing Company prizes for the top grades in selected courses (including ties) were as follows: Charles L. Fulton (Debtors Estates, Trusts, and Credit Transactions); Lindsay C. Warren, Jr. (Constitutional Law, Negotiable Instruments, and Business Associations); Roddey M. Ligon, Jr. (Sales and Negotiable Instruments); William B. Schell (Negotiable Instruments and Evidence); Donald A. Williams (Administrative Law); James D. McLean, Jr. (Agency); Joseph D. Franks, Jr. (Personal Property); Thomas M. Moore (Contracts); Leonard S. Powers (Equity); James W. Hoyle (Insurance); William V. Burrow (Labor Law); John W. Russell (Municipal Corporations); Myron H. Ross (Pleading and Parties); Robert L. Hines (Taxation); Ralph M. Stockton (Wills); Hunter D. Heggie (Business Associations); Louie S. Tinsley (Business Associations); Samuel F. Mordecai (Conflict of Laws); Richard E. Wardlow (Conflict of Laws); Hubert B. Humphrey, Jr. (Evidence); Jesse C. Johnson, Jr. (Evidence); Charles E. Knox (Evidence); Robert D. Larsen (Credit Transactions).

Winners of the West Publishing Company prizes in the first year Moot Court Competition were: William H. Bobbitt, Jr., Robert E. Giles, Marvin P. Hogan, Ralph T. Jonas, James C. Lanier, Jr., Charles F. Lambeth, Jr., Robert L. Love, William C. Morris, Jr., Charles B. Nye, Myron H. Ross, William H. Stewart, and Joseph C. Ward, Jr.

SCHOLARSHIPS

The situation with respect to scholarships has not improved during the past year. Those available have been split and a number of deserving applicants had to be disappointed completely. This is a disturbing situation. We need a minimum of ten scholarships paying not less than \$500 per year. We have three paying \$150, which is resident tuition.

THE LAW SCHOOL ASSOCIATION AND STUDENT ACTIVITIES

The officers of the Law School Association, to which every student belongs, are Clarence Gilbert, President; John Swainson, Vice-President; H. Smith Williams, Secretary; Miss Alice Watkins, Treasurer; and, Robert Emanuel, Chairman of the Honor Council. Committee chairmen are Roddey Ligon, Liaison; John Morrissey, Library; Perry Henson, Orientation; Alvah Flynn, Placement and Alumni Reception; John E. Davenport, Social; and, Don T. Evans, Speakers.

During the year the Association joined the American Law Student Association, which is an affiliate of the American Bar Association, and sent a representative (John Swainson) to the meeting of that organization held in Washington in September, 1950.

The Association, through its officers and committees, carries on many activities of benefit to the students and renders invaluable assistance to the faculty and administration. Some phases of the Association's work are as follows:

1. Its Speakers Committee, since December 1949, has presented the following, speaking on topics of great practical interest to prospective lawyers: Judge D. E. Henderson, of the Charlotte bar; Alan A. Marshall, of the Wilmington bar; Major L. P. McLendon, of the Greensboro bar; General Kenneth Royall, of the Washington, D. C., bar; and, Charles W. Tillett, of the Charlotte bar. The faculty joins with the students in expressing deep appreciation to these men for the valuable contribution they have made to a better rounded legal education for our students. All of them came to Chapel Hill at their own expense.

2. The first year law class is divided into law clubs, and each club member prepares a brief and makes an appellate argument before judges selected by the Association from the second and third year classes. Within each club there is a competition and the winning student is selected by the judges. Mr. Coates serves as faculty advisor to this program.

3. The Association's Placement Committee, in the face of a difficult situation, continues to seek the advice of the bar concerning openings for young lawyers. The Dean's office renders all possible assistance in securing positions for graduates, and the writer will welcome any suggestions as to or requests for recommendations. (Of seventy 1950 graduates concerning whom we have definite information, 12 entered family firms, 15 entered other firms, 21 opened their own offices, and 22 entered a variety of salaried occupations, private and governmental. For some of these the location is temporary, as they have already been or will soon be called into military service.)

4. The annual reception for alumni following one of the home foot-

ball games has come to be one of the most universally approved Law School events. In 1950 it was held on November 11th, following the Maryland game, and attracted more than 150 alumni who brought several hundred guests. This highly successful affair was conceived by and is organized and financed by the students.

5. The Association's Orientation Committee, after consultation with the faculty, annually conducts a program for entering students designed to give them some insight into the methods and mores of the Law School. A reception for new students is a regular feature of the program. Advanced students also give much assistance in the handling of registration.

6. The Association's Liaison Committee is the medium through which student complaints and suggestions are channeled to the faculty. The writer has found the work of this Committee to be not merely desirable, but indispensable.

THE WASHINGTON SEMINAR

In December, 1949, the U. S. Department of Justice staged a three-day seminar for senior law students from this School, Duke and Wake Forest. In our view, the results were excellent in terms of giving our students an insight into the legal work of large government agencies and into the tasks performed by lawyers in government service.

Plans are now under way to repeat this seminar, if possible, in January. In this connection we again wish to express our thanks for the interest and effective assistance of Assistant Attorney General Theron Lamar Caudle. The representative of this School in making arrangements is Mr. Baer; and Mr. Aycok will be the faculty delegate to the seminar.

REQUIREMENTS FOR ADMISSION

Our requirements for admission have not changed during the past year. The American Bar Association, during the year, decided to raise the standards for approved schools by requiring three years of college, rather than two, as a prerequisite to entry into Law School. It seems probable that the Association of American Law Schools will institute the same requirement at its next meeting. These changes will not affect us as we already require three years of pre-law study.

As indicated in last year's report, our applicants must take the Law School Admission Test prepared and administered by the Educational Testing Service at Princeton, N. J. This is now required by more than twenty law schools, including, in the South, Duke and Virginia. We do not require that the applicant receive any minimum score in order to be admitted, but we have now had sufficient experience with the test to know that its predictive value is relatively high. Though

test scores were unknown to, and therefore not considered by, instructors grading examinations, five of the six students receiving the lowest test scores failed to make the required average in their first year of law. Other grades showed a reasonable correlation with the test scores. Therefore, test scores furnish us with a better criterion than we have heretofore had in giving advice to students as to whether they should attempt to study law.

CURRICULUM

To take all the second and third year courses we now offer would require three years of a student's time. Stated in another way, the average student takes only two-thirds of the advanced courses we offer. This is true even though we do not offer an opportunity for intensive specialization in any field of law.

There is, of course, a continuing need for re-examination of our curriculum to determine whether courses should be dropped, added, or revised. During this year, the changes instituted have not been radical. We have added a course in Legal Accounting, heretofore given intermittently at summer school, and have restored International Law to the curriculum. We hope to offer in the spring semester a new seminar in Wage and Hour Law. We believe that, considering the size of our faculty and student body, we have a reasonably well rounded curriculum.

HELP FROM THE BENCH, BAR, AND OTHERS

We have been fortunate in receiving much valuable assistance from the practicing bar, particularly in the matter of placing our graduates and in support of the *Law Review*. We are deeply indebted to members of the bench and bar, and others, for giving generously of their time and effort in appearing before the Law School Association, certain of our classes, and the law fraternities. In addition to those already mentioned as speaking under the auspices of the Law School Association, during the period covered by this report, we have been assisted in this latter respect by Professor Gerald A. Barrett, of the School of Business Administration; Norman Block, of the Greensboro bar; Charles T. Boyd, of the Greensboro bar; Superior Court Judge Leo Carr; Associate Justice Emery B. Denny, of the North Carolina Supreme Court; Associate Justice S. J. Ervin, Jr., of the North Carolina Supreme Court; Solicitor Charles T. Hagan; Superior Court Judge W. C. Harris; Dr. T. C. Johnson, North Carolina Paroles Commissioner; John R. Jordan, Jr., Assistant to the State Attorney General; William Joslin, of the Raleigh bar; J. Q. LeGrand, of the Chapel Hill bar; Edwin V. Mack, Assistant Trust Officer of the American Trust Company; Judge John T. Manning, of Chapel Hill; C. F. Matton,

Vice-President of the Wachovia Bank and Trust Company; Dean Joseph A. McClain, Jr., of the Duke University Law School; Adrian J. Newton, Clerk of the North Carolina Supreme Court; Superior Court Judge Q. K. Nimocks; J. Francis Paschal, Executive Secretary of the North Carolina Judicial Council; Judge L. J. Phipps, of Chapel Hill; State Industrial Commissioner Robert Scott; U. S. Senator Willis Smith; Gilbert Stephenson, of the Trust Company Division, American Bankers Association; State Representative John W. Umstead; Francis E. Winslow, of the Rocky Mount bar; and, Dr. Ellen Winston, State Commissioner of Public Welfare.

DEDICATION

It is our devout ambition that the School, through its library, its student body, its faculty and its graduates, may not only occupy, but may truly deserve a place of steadily increasing importance in the field of legal education and in the life of our State.

HENRY BRANDIS, JR., *Dean.*